

FEDERAL REGISTER



VOLUME 9 NUMBER 215

Washington, Friday, October 27, 1944

The President

EXECUTIVE ORDER 9492

REGULATIONS GOVERNING NON-MILITARY AND NON-NAVAL TRANSPORTATION ON ARMY AND NAVY AIR TRANSPORTS

WHEREAS at the present stage of the war there is a steadily increasing emergency need for air transportation to, within, and between war theaters and foreign countries for official and civilian travel on missions important in the winning of the war, in relief and rehabilitation activities, and in speeding a return of peace conditions; and

WHEREAS this need cannot adequately be met at the present time by civil air carriers; and

WHEREAS the Air Transport Command of the Army and the Naval Air Transport Service now operate over many of the routes where this need exists and as the war progresses will extend such routes; and

WHEREAS in the course of normal operations of the Air Transport Command and the Naval Air Transport Service there will be space on aircraft which may not be required for military and naval personnel or material in connection with the war effort but which under existing policies cannot generally be made available to traffic of the character referred to herein:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the United States, and as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of War and the Secretary of the Navy are authorized and directed to permit transportation of non-military and non-naval passengers and cargo on Army air transports and Navy air transports operating over foreign routes, *Provided*:

(a) That the transportation is certified by the War Department or the Navy Department as being in the national interest because it will contribute directly or indirectly to the war effort, or by the State Department, or the War

or Navy Department acting for the State Department, as being in the national interest because it will similarly contribute (i) to relief or rehabilitation activities in areas affected by the war, or (ii) to the resumption of economic or other activities, disrupted by the war, that are necessary for the prompt reestablishment of peacetime conditions.

(b) That the transportation is certified as being of such importance as to justify travel by air.

2. The Secretary of War and the Secretary of the Navy are authorized and directed to prescribe and administer appropriate regulations for their respective departments with respect to such transportation and priorities therefor, and such regulations shall include the following provisions:

(a) The air-transportation needs of the armed forces of this Government and of the United Nations for the war effort shall at all times have priority over non-military and non-naval needs for air transportation.

(b) A reasonable charge (not less than the current commercial rates, if any, in tariffs on file with the Civil Aeronautics Board, for transportation and accommodations of a comparable nature between corresponding points) shall be made for the transportation, as authorized by this order, of non-military and non-naval passengers and cargo, other than such passengers and cargo carried for the War Department or the Navy Department.

(c) No traffic other than military or naval traffic or traffic certified by the War Department or the Navy Department as contributing directly or indirectly to the war effort shall be carried if it can reasonably be handled by a United States civil air carrier, and all such traffic for which a charge is made, other than such traffic so certified as contributing to the war effort and lend-lease traffic, shall be terminated one year from the date of this order, or earlier on any given route if the Civil Aeronautics Board certifies that in its opinion commercial services of United States civil

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.

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air carriers adequate to handle such traffic are in operation on such route.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
October 24, 1944.

[F. R. Doc. 44-16439; Filed, Oct. 25, 1944; 1:32 p. m.]

EXECUTIVE ORDER 9498

AUTHORIZING AND DIRECTING THE SECRETARY OF THE NAVY TO TAKE POSSESSION OF THE PLANTS AND FACILITIES OF THE LORD MANUFACTURING COMPANY, LOCATED AT ERIE, PENNSYLVANIA

WHEREAS the Lord Manufacturing Company is engaged in the manufacture and sale of war materials essential to the procurement programs of the War Department and the Navy Department; and

WHEREAS the Secretary of War and the Secretary of the Navy on September 23, 1944, acting under and pursuant to section 801 of the Revenue Act of 1943, issued to the Lord Manufacturing Company an order fixing fair and reasonable prices for the said war materials and prohibiting the company from changing its terms or conditions of sale in any way that would increase the return to the said company above the prices fixed by the said order; and

WHEREAS the Lord Manufacturing Company has changed the terms and conditions of sale of the said war materials in such a way as to increase the return to the said company above the prices fixed in the said order and has wilfully refused and failed to furnish the said war materials at the prices fixed by the said order; and

WHEREAS the conduct of the Lord Manufacturing Company has interfered with the production and supply of aircraft parts and other essential war materials for the use of the armed forces and now threatens to interfere with the effective prosecution of the war; and

WHEREAS the effective conduct of the war requires that immediate steps be taken to insure the continued production and delivery of the said war materials produced in the plants of the Lord Manufacturing Company; and

WHEREAS it is deemed essential that the plants and facilities of the Lord Manufacturing Company located at Erie, Pennsylvania, together with any other facilities and property owned by the said company and used in connection with the operation thereof be taken over for use and operation by the United States

of America in order that the said plants, facilities, and property may be effectively operated in the manufacture of the said war materials:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including Title VIII of the Revenue Act of 1943 and section 9 of the Selective Training and Service Act of 1940, as amended, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Navy is hereby authorized and directed to take possession of the plant and facilities of the Lord Manufacturing Company, located at Erie, Pennsylvania, and, to the extent that he may deem necessary, of any facilities, real or personal property, or other assets wherever situated, owned by the said company and used in connection with the operation of the said plant and facilities in Erie County or with the production, sale, or distribution of the said products; and to operate or to arrange for the operation thereof in such manner as he deems necessary for the successful prosecution of the war, and to do all things necessary for or incidental to the production, sale, or distribution of the products of the said company.

2. The Secretary of the Navy may exercise the authority herein conferred through and with the aid of such person or persons, corporations, and instrumentalities as he may designate, and may select and hire such employees and agents as are necessary to carry out the provisions of this order; and in furtherance of the purposes of this order the Secretary of the Navy may exercise any contractual or other rights of said company incident to the operation of said plant, facilities, or property or the production, sale, and distribution of the company's products and may take such other steps as may be necessary or desirable.

3. Possession, control, and operation of any plant, facilities, or property or portion thereof of which possession is taken under this order shall be terminated by the Secretary of the Navy upon his determination that the said plant, facilities, or property or portion thereof will thereafter be operated in a manner consistent with the effective prosecution of the war.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
October 24, 1944.

[F. R. Doc. 44-16438; Filed, Oct. 25, 1944;
1:32 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 4-7, Amdt. 3]

PART 1450—TOBACCO

1944 CROP FLUE-CURED TOBACCO

Pursuant to War Food Order No. 4 (8 F.R. 335) issued on January 7, 1943, as

amended (8 F.R. 11331; 9 F.R. 4321, 4319, 9584), and to effectuate the purposes of such order, as amended, War Food Order No. 4-7 (9 F.R. 8231) issued on July 18, 1944, as amended (9 F.R. 10147, 11732), relative to the 1944 crop of flue-cured tobacco, is hereby further amended as follows:

(1) By deleting therefrom the term "96 percent" in § 1450.7 (b) (2) of said order and inserting, in lieu thereof, the term "102.5 percent."

(2) By deleting therefrom the term "142 percent" in § 1450.7 (b) (4) of said order and inserting, in lieu thereof, the term "147 percent."

The provisions in this amendment shall become effective at 12:01 a. m., e. w. t., October 25, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 4-7, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 4-7, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14785; WFO 4, as amended, 8 F.R. 335, 11331, 9 F.R. 4321, 4319, 9584)

Issued this 25th day of October 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-16418; Filed, Oct. 25, 1944;
12:23 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 64 Stat. 676, as amended by 65 Stat. 230 and 68 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Direction 5, as Amended
Oct. 26, 1944]

DISPOSAL OF CONTROLLED MATERIALS PROCURED BY A WAREHOUSE OR DISTRIBUTOR FOR HIS STOCK FROM HOLDERS OF IDLE OR EXCESS INVENTORIES, INCLUDING THE METALS RESERVE CO.

The following direction is issued pursuant to CMP Reg. 4.

(a) *What this direction does.* This direction explains the rules applicable to the procurement, delivery and reporting by warehouses and distributors of idle or excess controlled materials which they get from sources other than controlled material producers, warehouses and distributors. Separate treatment must be accorded by a warehouse or distributor to idle or excess controlled materials (1) purchased from a holder for resale from his own commercial warehouse stock, (2) which are government-owned and received into his stock for sale by him as an agent for the Metals Reserve Company, and

(3) purchased from a holder for resale from an earmarked warehouse stock established with him by the War Production Board.

(b) *Materials purchased from holders of idle or excess inventories for commercial warehouse stock.*—(1) *Applicable rules governing procurement and deliveries.* Controlled materials may be purchased by a warehouse or distributor from a holder of idle or excess inventories, including the Metals Reserve Company, for resale from his commercial warehouse stock. All deliveries to consumers of materials so purchased from warehouse stock must be made in accordance with CMP Regulation No. 4. In addition, a distributor may deliver steel to other distributors as provided in Orders M-21-b-1 and M-21-b-2, and may apply to the War Production Board for permission to deliver steel to a customer ex-allotment under the provisions of Direction 44 to CMP Regulation No. 1.

(2) *Stock replacement.* Steel purchased by a distributor for his commercial warehouse stock from a holder of idle or excess inventory, when sold, may be replaced by ordering from a producer or another distributor in accordance with, and subject to the limitations of, paragraph (c) of Order M-21-b-1 or paragraph (c) of Order M-21-b-2. Copper wire mill products purchased by a warehouse for his commercial stock from a holder of idle or excess inventory, when sold, may be replaced in accordance with Direction 4 to CMP Regulation No. 4. Other controlled materials purchased by a warehouse or distributor for his commercial warehouse stock from a holder of idle or excess inventory, when sold, may be replaced in accordance with the specific directions received by the warehouse or distributor from the War Production Board.

(3) *Reports required.* In filing any required reports, any controlled materials purchased in accordance with this paragraph (b) should be included as receipts of "idle or excess materials" and, when sold, should be included along with deliveries of materials purchased from producers, warehouses, or distributors. However, aluminum distributors need not report such sales, and receipts of aluminum separately but may report them in the same way they report other sales and receipts of aluminum.

(c) *Controlled materials received into stock for sale by a warehouse or distributor as agent for the Metals Reserve Company.* To assist with the disposal of government-owned stocks of controlled materials resulting from design changes, cut-backs, and cancellations of war contracts, the Metals Reserve Company may contract with various warehouses and distributors to receive such materials into their stocks and to act as agents for the Metals Reserve Company in the sale of the material to qualified purchasers.

(1) *Applicable rules governing procurement and deliveries.* All controlled materials received by a warehouse or distributor into his stock which remain the property of the Metals Reserve Company may be sold subject to the provisions of Priorities Regulation No. 13. In addition, pursuant to paragraph (m) (2) (i) of CMP Regulation No. 4, such materials may be delivered on orders bearing the allotment symbol Z-1-E, but the other provisions of CMP Regulation No. 4 do not apply to the sale of controlled materials owned by the Metals Reserve Company. If special permission of a Regional Office of the War Production Board is required to make a particular delivery the warehouse or distributor, acting as agent for the Metals Reserve Company, may apply in the name of the Metals Reserve Company to the nearest regional office of the War Production Board for permission to make the delivery. If permission is granted, the War Production Board

will issue to the warehouse or distributor Form WPB-3320, authorizing him, as agent for the Metals Reserve Company, to make the delivery.

(2) *Stock replacement.* No deliveries of steel made by a distributor from a stock owned by the Metals Reserve Company but held in his warehouse for sale by him as agent for that company may be used to support purchase orders for the replacement of his commercial or earmarked warehouse stocks.

(3) *Reports required.* Unless specifically requested by the War Production Board, a warehouse or distributor accepting a stock of controlled materials from the Metals Reserve Company need file no report with the War Production Board covering the activity of such stock, and he must not include any data on receipts into, deliveries from, or inventory on hand in such stock in any report which he is required to file regularly with the War Production Board regarding the activity of his commercial or earmarked warehouse stocks.

(d) *Controlled materials purchased by a warehouse or distributor for resale from a War Production Board earmarked stock—*

(1) *Applicable rules governing procurement and deliveries.* If a warehouse or distributor wishes to purchase controlled materials from a holder of idle or excess inventory, or from materials held by him for sale as agent of the Metals Reserve Company for an earmarked warehouse stock established with him by the War Production Board, he may do so, but all such purchases, and all subsequent deliveries of such material from the earmarked stock, must be made only in accordance with the terms of the earmarked warehouse stock directive issued to him.

(2) *Stock replacement.* Deliveries of controlled materials by a warehouse or distributor from a War Production Board earmarked warehouse stock may be replaced only in accordance with the terms of the earmarked warehouse stock directive issued to him.

(3) *Reports required.* Any controlled materials purchased by a warehouse or distributor from a holder of idle or excess inventory for an earmarked warehouse stock must be reported as a receipt and, when sold, as a delivery from stock on any report which the warehouse or distributor is required to file with the War Production Board covering the activity of his earmarked warehouse stock.

Issued this 26th day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16472; Filed, Oct. 26, 1944;
11:10 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241, as
Amended Oct. 26, 1944]

PAPER AND PAPERBOARD

§ 3281.63 *General Conservation Order M-241—(a) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except to the extent of any inconsistency, in which event the provisions of this order shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of

persons whether incorporated or not.

(2) "Produce" and "manufacture" mean and include all making and finishing operations prior to packing or packaging.

(3) "Finished production" means paper or paperboard ready for packing or packaging.

(4) "Grade" means any kind of paper or paperboard for which a caption or subcaption is provided in Form WPB-514 or any particular grade even though not specifically mentioned within such

kind, except those grades listed below which are covered by other WPB orders as specified. Also included are all the coated papers not mentioned by captions but for which any captioned grade or item thereunder is used as a base stock.

Paper and paperboard under the following WPB-514 Captions in the table immediately following are specifically excluded from this order and are subject to and should be reported under the appropriate controlling order indicated therein.

TABLE 1

Type	WPB-514 Caption	Controlling order
Container board.....	210000 through 219000.....	M-200
Paperboard.....	220000 through 269000 (except 240000 through 249000, 253000 and "Sanitary food container stock" as listed in Appendix B to this order and 261100 261200, 262000).....	M-378
Building boards.....	261100, 261200 and 262000.....	M-70
Asbestos and asbestos filled paper.....	123000.....	

(c) *Restrictions on production of paper and paperboard.* Unless specifically authorized by the War Production Board, no person shall produce paper or paperboard on any paper machine (Yankee, Harper, Fourdrinier, Cylinder or Wet Machine) which did not produce paper or paperboard in the period May 1, 1943 to July 15, 1943 inclusive.

(d) *Reserve production.* (1) (i) Each

manufacturer shall reserve in his total overall production of paper and paperboard for the month of October, 1944, and for each calendar month thereafter time and supplies sufficient to produce and deliver within such month the following percentage applied either to his total production or to his production of a stated "grade" or "class" as indicated in Table 2:

TABLE 2

Type	WPB-514 Caption	Percent
(Grade) Condenser tissue.....	047200.....	100
(Grades) "Sanitary food containers stock".....	For captions see Appendix B to this order.....	100
(Class) Groundwood printing, book, writing and coarse wrapping.....	020000 through 049000 Inc., and 051100 to 054900 Inc.....	85
(Class) All other papers and paperboards.....	All other captions except those excluded under paragraph (b) (4).....	20

The War Production Board may from time to time change such percentage or percentages and apply percentages to other grades or combinations, by notice in writing to each manufacturer or by publication in the FEDERAL REGISTER at least ten days prior to the first of the month to the production of which such change is applicable.

(ii) When production is reserved by applying a percentage to a stated "grade" or "grades" (See Table 2), the production of such "grade" or "grades" for which a manufacturer is obligated shall be determined by applying the stated percentage to the average monthly finished production of such "grade" or "grades" which the manufacturer has reported on Form WPB-514 for the most recent three calendar quarters.

When production is reserved by applying a percentage to a "class" or "classes" (See Table 2), the production of such "class" or "classes" for which a manufacturer is obligated shall be determined by applying the percentage to the lesser of: (a) The monthly production of the "class" or "classes" which the manufacturer can produce subject to his authorized use of pulp under Order M-93, or (b) the average monthly production of

the "class" or "classes" which the manufacturer has reported on Form WPB-514 for the most recent three calendar months.

NOTE: The words in quotations refer to listed types in Table 2.

(2) (i) If, on or before the 15th day of any month in which production is reserved, the manufacturer does not receive from the War Production Board directions as to the disposition of all production reserved in such month, he may employ, subject to the provisions of paragraph (d) (2) (ii) below, the production for which no directions have been received as he may desire consistent with the provisions of this and other orders of the War Production Board.

(ii) If, as of record with the War Production Board on the 15th day of any month, a manufacturer of paper or paperboard has not been credited with accepting voluntarily or by directive from the War Production Board an order or orders for paper and paperboard to be delivered directly or through another person to the Armed Forces (i. e., the first six procurement activities listed in paragraph (d) (5)) from his production in such month in a total amount equal to 30% of his reserve production

by type, the manufacturer shall continue to be obligated for such month until the close of the fourth calendar day prior to the first day of the next succeeding month, for that portion of such percentage of his reserve production for which he has accepted no orders for delivery to the Armed Forces.

(3) The War Production Board may establish in an appendix or appendices to this Order M-241 additional controls over the production, distribution, delivery and use of any grade or combination of grades of paper or paperboard for which 100 percent production is reserved. The reserve of such grade or combination of grades shall then be subject to direction for the entire month and continuously for so long as 100 percent of such production is reserved. When 100 percent of the production of any grade or combination of grades is reserved, the use of reporting Form WPB-3270 is not required for such grade or combination since the full control will be specified in the proper appendix.

(4) (i) *Credit for directed tonnage.* Should the War Production Board direct a manufacturer of paper or paperboard to accept an order to be shipped from his reserve production, the reserve production for which such manufacturer is obligated shall be reduced (except as provided in the paragraph immediately following) by the tonnage specified in such directive, and such reduction concurrently recorded to such manufacturer's credit on the records of the War Production Board.

(ii) *When directed tonnage is not credited.* Credit against the reserve production obligations of a manufacturer is not given for the tonnage specified in a directive when the following conditions prevail:

(a) Any one of the first six procurement activities (the Armed Forces) requests a qualified manufacturer to bid on a contract or accept a purchase order from such activity, and

(b) The manufacturer fails to bid on the contract or refuses to voluntarily accept the purchase order, and

(c) The War Production Board records on the acceptance of contracts and purchase orders by such manufacturer against his reserve production show that the acceptance of such contract or part thereof or such purchase order at the time the request was issued would not have caused him to produce more tonnage in any month than his reserve production obligations for such month, and

(d) Because of such failure to bid on the contract or refusal to accept the purchase order, a directive is issued to the manufacturer by the War Production Board.

(iii) Any manufacturer who has accepted, directly or through another person, an order or orders for paper or paperboard to be produced for the account of any activity or use listed in paragraph (d) (5), shall immediately report such acceptance in triplicate on Form WPB-3270 and thereafter shall immediately report to the War Production Board on such form any change requested by the purchaser in any

previously reported order or orders, if such change involves cancellation, or a change in quantity or in the month of manufacture. When the proper order or orders or requested changes reported on Form WPB-3270 have been correctly reported to the War Production Board, the manufacturer will be notified accordingly, and credit against the manufacturer's reserve production will be recorded, subject to the provisions of paragraph (d) (2) (ii). Thereafter the manufacturer shall produce such orders according to his schedule as so reported to the War Production Board. (The reporting requirements of this paragraph have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.)

(5) *Procurement activities:*

1. United States Army
2. United States Army Map Service
3. United States Army Air Forces
4. United States Navy
5. The United States Marine Corps
6. The United States Coast Guard
7. United States Maritime Commission and War Shipping Administration
8. Lend-Lease Administration — Foreign Economic Administration
9. Panama Canal
10. Bureau of Public Debt
11. United States Government Printing Office
12. United States Bureau of Engraving and Printing
13. Procurement Division of the United States Treasury
14. Office of Economic Warfare—Foreign Economic Administration (orders with an F. E. A. approved export license)
15. United States Post Office
16. Rubber Reserve Corporation.
17. Producers of products, or parts thereof, for any of the sixteen procurement activities listed above to the extent that the primary paper or paperboard is to be used exclusively as a component part of the product or part thereof, or is to be used exclusively for the necessary packaging of the product or part thereof, to be delivered on a contract or purchase order issued by such activity. (Report Government Department, Order Number and Name of Converter or user. If the use of the paper cannot be identified directly with a Government Order Number by a producer of a product of indirect military or Governmental nature, then the CMP Allotment Symbol, if available, and the name of the product may be supplied for identification.)

(e) *Restrictions on inventory.* Unless specifically authorized by the War Production Board or excepted by paragraph (e) (4):

(1) *Consumers inventories except those covered by M-241-a, L-240, L-241, L-244, L-245, L-340 and L-289.* (i) No person shall knowingly deliver to any person except a paper merchant, and no person except a paper merchant shall accept delivery of, any quantity of paper or paperboard if such person's total inventory is, or will by virtue of such delivery become, in excess of the greater of (a) thirty tons or (b) thirty calendar days' supply on the basis of his average rate of consuming such paper and paperboard for the latest preceding three full calendar months.

(ii) Regardless of the provisions of (1) (i) above no person shall knowingly deliver to a manufacturer of folding boxes,

setup boxes, or paper shipping sacks and no manufacturer of folding boxes, setup boxes, or paper shipping sacks shall accept delivery of any quantity of paper or paperboard if the manufacturer's total inventory of paper and paperboard is, or will by virtue of such delivery become, in excess of the greater of (a) forty tons or (b) sixty calendar days' supply on the basis of his average rate of consuming such paper and paperboard during the latest preceding three full calendar months.

(2) *Merchant inventories.* On and after November 1, 1944, no paper merchant shall accept delivery of, and no person shall knowingly deliver to a paper merchant, any paper or paperboard for his warehouse stock if the dollar inventory value, as determined by customary accounting practice, of all paper and paperboard (excluding that which has been sold to and paid for by another person) in the merchant's store and warehouses exceeds or by virtue of such delivery will exceed, fifty per cent (50%) of the merchant's total dollar sales from his store and warehouse inventory during the latest preceding three full calendar months. Each affiliate, subsidiary or branch is to be considered individually in applying the provisions of this paragraph.

(3) *Mill inventories.* "Mill inventory" means all paper and paperboard other than that produced or being produced for prompt shipment against a definite order.

No person shall produce at any mill any quantity of paper or paperboard, if his total inventory at such mill is, or will by virtue of such production become, in excess of the greater of (a) thirty tons, or (b) thirty calendar days' supply on the basis of the average rate of shipment of paper or paperboard from such mill during the latest preceding three full calendar months.

(4) (i) *Delivery restrictions and certification requirements.* No paper merchant, and no person on behalf of a paper merchant, may order or accept delivery of any paper from a mill operator or other supplier unless the buyer furnishes, or has previously furnished, to the person making delivery a certification in substantially the following form signed manually, or as provided in Priority Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose.

The undersigned certifies, subject to the penalties of section 35 (A) of the U. S. Criminal Code, to the seller and to the War Production Board that he is familiar with Order M-241 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

The above certificate must be used and the certification provided for in Priority Regulation No. 7 may not be used in its place or stead.

This is a one-time certification and need not accompany each individual order for paper.

(ii) No manufacturer, paper merchant or other person shall sell or deliver paper or paperboard to any other person whose inventory or use of paper or paperboard is controlled by one or more of the orders in List I below unless and until he has received such certificates (if any) as may be called for under the order governing delivery and use of the paper or paperboard by the purchaser:

LIST I

L-177 Wallpaper manufacturers.
L-240 Newspaper publishers.
L-241 Commercial printers.
L-244 Magazine publishers.
L-245 Book publishers.
L-289 Greeting card and picture postcard producers.
L-294 Display.
L-340 Government commercial printing.
M-241-a Certain converters.
M-241 Paper and paperboard.

(5) *Item inventories.* The restrictions of paragraph (e) apply equally to paper and paperboard of foreign and domestic origin, and apply to intra company deliveries as defined in § 944.12 of Priorities Regulation No. 1. They do not, however, apply to those papers commonly reported on United States Department of Commerce (Census) Form WPB-514, as revised, under the captions "Blueprint and similar base stock (043110 and 043210); photographic and other sensitizing stock (043130, 043220 and 043230); and Cigarette (047300)"; or to any paper or paperboard after it is printed or converted beyond waxing or coating.

(f) *Miscellaneous provisions.*—(1) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(2) *Audit and inspection.* All records required to be kept by this order shall upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(3) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(4) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine, or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of or from processing or using materials under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications.* All communications concerning this order shall unless otherwise directed be addressed to

War Production Board, Paper Division,
Washington 25, D. C., Ref.: M-241.

Issued this 26th day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—CONDENSER TISSUE

(a) *Definitions:* For the purpose of this appendix:

"Condenser tissue" includes the following mill grades: Kraft Condenser Tissue, Linen Condenser Tissue; Tan Condenser Tissue; Kraft Electrolytic; Manila Electrolytic; Kraft Coll; Rag Coll; and Cream and Grey Special Tissue, and any other similar grade which may be produced from time to time.

Restriction on delivery and receipt of condenser tissue:

(b) *Restrictions on acceptance of delivery.* On and after July 1, 1944, no consumer shall accept delivery from a producer of condenser tissue except as authorized by the War Production Board on Form WPB-3680.

(c) *Delivery restrictions.* On and after July 1, 1944 no producer shall deliver condenser tissue except on an order accompanied by a written statement, manually signed by the consumer or an authorized official of the consumer in the following form:

Authorized under M-241 Appendix A.
Date of authorization _____, authorization number _____

This written statement shall constitute a representation (subject to the penalties of Section 35A of the United States Criminal Code) that the consumer is authorized under this and other applicable War Production Board regulations and orders to place the delivery order and receive the items ordered for the purpose for which ordered. The standard certification of Priorities Regulation 7 must not be used instead of the certification described in this paragraph (c).

(d) *Ratings.* Ratings shall be used in connection with condenser tissue only as may be directed by the War Production Board on form WPB-3680. No consumer shall apply any other rating to any order for condenser tissue or use a rating in any other way to procure condenser tissue from a producer.

(e) The War Production Board may at any time by wire or letter revise a previously issued authorization so as to make any of the paper covered by such authorization available for another use, and, for the purpose of fulfilling a time requirement of the armed forces, may direct a producer to produce and deliver condenser tissue for such requirement prior to the production and delivery of any other condenser tissue.

(f) *Applications and reports.* (1) Each person who desires to receive a delivery or deliveries of condenser tissue in any calendar month shall file his application in triplicate on Form WPB-3680 with the War Production Board on or before the fifth day of the month immediately preceding such month, or at any other time currently required in such form, and shall furnish the information provided for on such form.

(2) The reporting requirements set forth in paragraph (f) (1) of this appendix have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) This Appendix A of M-241 is subject to all the provisions of M-241 not inconsistent with the provisions of this appendix.

APPENDIX B—SANITARY FOOD CONTAINER STOCK

(a) *Definitions.* For the purpose of this appendix:

(1) "Sanitary food container stock" means and is limited to the following captions as they now appear or will appear in the following WPB-514 forms respectively:

WPB-514 (Current)	WPB-514 (Proposed)
053600 Cup stock.....	224004 Cup and round nested food container stock.
224004 Hot drink cup-stock.....	224001 Milk bottle stock.
224005 Round nested food container stock.....	224002 Milk bottle hood and lip cover stock.
224001 Milk bottle stock.....	224002 Milk bottle hood and lip cover stock.
225001 Milk bottle stock.....	224003 Liquid tight cylindrical can and lid stock..
224002 Milk bottle hood and lip cover stock.....	225003 Liquid tight cylindrical can and lid stock..
225002 Milk bottle hood and lip cover stock.....	224005 Cup lid stock.
224003 Liquid tight cylindrical can and lid stock..	224008 Milk bottle cap and plug stock.
225003 Liquid tight cylindrical can and lid stock..	
225004 Milk bottle cap and plug stock	

(b) *Reserve production.* (1) The reserve production for which a manufacturer is obligated under this Appendix B shall be determined for each kind of "Sanitary Food Container Stock" by the total monthly production of such kind which the manufacturer can produce subject to his authorized use of pulp under WPB Order M-93.

(2) The War Production Board may at any time direct any manufacturer to employ that part of his reserve production for which no directive has been issued (and which has not been used or for which a definite commitment has not been made to fill a purchase order authorized by the War Production Board) to produce any grade of "sanitary food container stock" and to sell and deliver such production to any person it may name, and thereafter such manufacturer shall so produce and deliver. The manufacturer may refuse to so sell and deliver such production only for the reasons specified for the refusal of rated orders in § 944.2 of Priorities Regulation No. 1.

(3) A manufacturer may use any part of his reserve production for which he has not received a directive or directives by the War Production Board to produce and deliver the quantity of "sanitary food container stock" specified by a purchaser in an order authorized and certified in accordance with the provisions of paragraph (c) (2) below.

(c) *Delivery restrictions.* (1) On and after July 18, 1944 no person shall purchase or accept delivery from any manufacturer of any quantity of "sanitary food container stock" except as authorized by the War Production Board on Form GA 1959.

(2) On and after July 18, 1944 no person shall sell or deliver any part of his production of "sanitary food container stock" except in accordance with a directive issued by the War Production Board or in fulfillment of a purchase order containing a statement manually signed by an authorized official of the purchaser in the following form:

Authorized by the War Production Board under M-241
Appendix B. Date of authorization _____
Authorization No. _____
Quantity _____

This written statement shall constitute a representation (subject to the penalties of section 35A of the United States Criminal Code) that the purchaser is authorized under this and other applicable War Production Board regulations and orders to purchase and receive the quantity of "sanitary food container stock" ordered, for the purpose, if any, specified in the purchase authorization issued to him by the War Production Board. The Standard Certification of Priorities Regulation 7 must not be used as a substitute

for the certification specified in this paragraph (c).

(3) An authorization to purchase given to a converter of "sanitary food container stock" may be passed on by the converter to an intermediate processor, such as a trader of the stock, and the manufacturer may sell and deliver to the processor under the authorization provided the processor delivers a certificate in the form prescribed in paragraph (c) (2) and also certifies on his order that the stock so purchased under a particular authorization number will be delivered only to the converter to whom the authorization was issued.

(d) *Variations in quantity produced and delivered.* (1) Each directive and each purchase authorization issued by the War Production Board under this order is subject as to quantity manufactured, delivered and accepted, to the following percent of variation in quantity ordered:

	Percent
Less than 20,000 pounds.....	15
20,000 to 40,000 pounds.....	10
40,000 pounds or more.....	5

This variation shall not be exceeded as to delivery, and if exceeded in manufacture, the amount of the excess, unless it can and may be used in filling another authorized purchase order, shall be immediately reported to the War Production Board with information as to the specifications, amounts, and name of purchaser who ordered it. The War Production Board will thereafter promptly direct its disposition.

(2) If, on or before the 15th day of the second month in any calendar quarter year, a manufacturer has not received directives and accepted authorized purchase orders for "sanitary food container stock" in a total tonnage equal to the total tonnage he is able to produce in such calendar quarter year, subject to his use of pulp authorized under Order M-93, he shall on or before the 20th day of such month mail to the War Production Board a statement of the tonnage of each kind of "sanitary food container stock" he is able to produce in such calendar quarter year over and above the tonnage for which he has received directives or accepted authorized purchase orders. The War Production Board will thereafter endeavor to see that such manufacturer receives directives or authorized purchase orders of sufficient tonnage to cover such production. This provision shall not prevent the manufacturer from accepting authorized purchase orders thereafter voluntarily offered him and is only for the purpose of assuring the full production authorized under Order M-93 and the distribution of any unsold production to those who have not received the full amount they have been authorized to purchase.

(3) If, for any reason beyond his control, a manufacturer finds he is unable to use in any calendar quarter year the pulp allocated to him for the manufacture of "sanitary food container stock" or to produce and deliver during such calendar quarter year in accordance with any directive or directives issued to him by the War Production Board or to produce and deliver any authorized purchase order or orders accepted by him for production in such quarter year, he shall immediately so notify the War Production Board giving specific information with respect to each such directive or purchase order as to name of customer, specifications, promised shipping dates and the tonnage of the pulp allocated to him which he is unable to use in such quarter. The War Production Board may, pursuant to Order M-93, direct that the pulp such manufacturer is unable to use for producing such directives or authorized purchase orders be sold and shipped

to another manufacturer or manufacturers of such stock for use in manufacturing such "sanitary food container stock" and may, pursuant to M-93 authorize such other manufacturer to use such pulp for manufacturing such stock. Thereafter, such other manufacturer's reserve production of "sanitary food container stock" shall be correspondingly increased.

(e) This Appendix B of M-241 is subject to all the provisions of M-241 not inconsistent with the provisions of this Appendix except the provisions of paragraphs (d) (2) and (d) (4).

NOTE: The reporting requirements of this appendix have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

[F. R. Doc. 44-16475; Filed, Oct. 26, 1944; 11:10 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Supplementary Order M-21-a, Revocation of Direction 4]

CONSUMPTION OF ALLOY STEEL SCRAP IN MELTING ALLOY STEEL

Direction 4 to Supplementary Order M-21-a is hereby revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 26th day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16473; Filed, Oct. 26, 1944; 11:10 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[Supplementary Order M-24-c, Revocation]

ALLOY SCRAP SEGREGATION

Section 3294.126 *Supplementary Order M-24-c* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 26th day of October 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-16474; Filed, Oct. 26, 1944; 11:10 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURAL

[Rev. Procedural Reg. 3, Amdt. 10]

PROTEST

Revised Procedural Regulation No. 3 is amended in the following respects:

1. Section 1300.218 (a) is amended to read as follows:

(a) Every protest shall be clearly designated "Protest" and shall contain upon

¹9 F.R. 10484.

the first page thereof, (1) the name of the protestant and of the defense-rental area for which the maximum rent regulation or order protested was issued, (2) a statement whether the protest is against a maximum rent regulation or order, (3) the date of issuance and the name or number of such maximum rent regulation or order, and (4) a statement that a copy of the protest and all accompanying documents and briefs has been filed with the Regional Administrator or the Rent Director, where such action is required by paragraph (c) or (d) of this section.

2. Section 1300.259 is amended to read as follows:

§ 1300.259 *Effective date of Revised Procedural Regulation No. 3.* This regulation shall become effective February 1, 1943.

This amendment shall become effective October 31, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16481; Filed, Oct. 26, 1944; 11:48 a. m.]

PART 1335—CHEMICALS

[RFS 63, Corr. to Amdt. 8]

HIDE GLUE STOCK

Amendment 8 to Revised Price Schedule 68 is corrected in the following respects:

1. Item 4a § 1335.510, Appendix A (a) is corrected to read Item 5.
2. Items 6 through 16 of § 1335.510 Appendix A (a) are redesignated Items 5 through 15.

This correction shall become effective as of October 24, 1944.

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16480; Filed, Oct. 26, 1944; 11:48 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25, Amdt. 27]

DESIGNATION OF CERTAIN AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

In § 1388.1201 of Designation and Rent Declaration 25, item 133 is amended to read as follows:

¹7 F.R. 1338, 1636, 2000, 2132, 2241, 2348, 3125, 6362, 6474, 8943; 8 F.R. 1631; 9 F.R. 7519.

²9 F.R. 5920.

(133) Roswell, New Mexico, Counties of Eddy, Chaves, and Lea.

This amendment shall become effective November 1, 1944.

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16485; Filed, Oct. 26, 1944;
11:51 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 27,¹
Amdt. 7]

DESIGNATION OF CERTAIN AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

In § 1388.1301 item 10 is amended to read as follows:

(10) Clovis, New Mexico; Counties of Curry, DeBaca, and Roosevelt.

This amendment shall become effective November 1, 1944.

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16484; Filed, Oct. 26, 1944;
11:51 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 32,²
Amdt. 25]

DESIGNATION OF CERTAIN AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

In § 1388.1341 of Designation and Rent Declaration 31, items 6, 9, 11, 12 and 28 are amended and items 76, 113, 114, 115 and 116 are added to read as follows:

(6) Florida, Florida, That portion of the State of Florida not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Brevard, Columbia, Dade, St. Johns, St. Lucie, Santa Rosa, Sarasota, Taylor, Wakulla, and Walton, and in the county of Palm Beach Precincts 20, 21, 22, 23, 24, 25, 26, 28, and 30, including the cities of Delray Beach and Lake Worth and in the towns of Boca Raton, Boynton, Gulf Stream, Lantana, Manalapan, and Ocean Ridge.

(9) Illinois, Illinois, That portion of the State of Illinois not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of De Kalb, Fulton, Kenkakee, Knox, La Salle, McDonough, McHenry, and Mason.

(11) Iowa, Iowa, That portion of the State of Iowa not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Jasper, Jefferson, Wapello, and Woodbury.

(12) Kansas, Kansas, That portion of the State of Kansas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Barton, Ellis, Finney, Ford, Gray, Russell, Pawnee, Pratt, and Reno.

(28) New York, New York, That portion of the State of New York not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, and the county of Rockland.

(76) Great Bend, Kansas, counties of Barton, Ellis, Pawnee, and Russell.

(113) Perry, Florida, county of Taylor.

(114) Woodstock, Illinois, county of McHenry.

(115) Fairfield, Iowa, county of Jefferson.

(116) Westchester County, New York, county of Westchester.

This amendment shall become effective November 1, 1944.

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16486; Filed, Oct. 26, 1944; 11:51 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,³ Amdt. 35]

CAMDEN, ARK., ETC.

Items 116a, 194, 197, and 204 are amended and items 19b, 61a, 94a, 114c, and 211a are added to Schedule A of the Rent Regulation for Housing to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(19b) Camden.....	Arkansas.....	Calhoun and Ouachita.....	Sept. 1, 1944	Nov. 1, 1944	Dec. 15, 1944
(61a) Perry.....	Florida.....	Taylor.....	Oct. 1, 1943	Nov. 1, 1944	Dec. 15, 1944
(94a) Woodstock.....	Illinois.....	McHenry.....	Oct. 1, 1943	Nov. 1, 1944	Dec. 15, 1944
(114c) Fairfield.....	Iowa.....	Jefferson.....	Jan. 1, 1944	Nov. 1, 1944	Dec. 15, 1944
(116a) Great Bend.....	Kansas.....	Barton.....	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
	Kansas.....	Ellis and Russell.....	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
	Kansas.....	Pawnee.....	Mar. 1, 1943	Nov. 1, 1944	Dec. 15, 1944
(194) Clovis.....	New Mexico.....	Curry, De Baca, and Roosevelt.....	Mar. 1, 1942	Feb. 1, 1943	Mar. 15, 1943
(197) Roswell.....	New Mexico.....	Chaves and Eddy.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	New Mexico.....	Lea.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
(204) Poughkeepsie.....	New York.....	Dutchess, Ulster, and Orange, except that portion of Orange County which is within the West Point Military Reservation.....	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(211a) Westchester County.....	New York.....	Westchester.....	Aug. 1, 1944	Nov. 1, 1944	Dec. 15, 1944

This amendment shall become effective November 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16487; Filed, Oct. 26, 1944; 11:51 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,² Amdt. 38]

CAMDEN, ARK., ETC.

Items 116a, 194, 197, and 204 are amended and items 19b, 61a, 94a, 114c, and 211a are added to Schedule A of the Rent Regulation for Housing to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(19b) Camden, Ark.....	Arkansas.....	Calhoun and Ouachita.....	Sept. 1, 1944	Nov. 1, 1944	Dec. 15, 1944
(61a) Perry.....	Florida.....	Taylor.....	Oct. 1, 1943	Nov. 1, 1944	Dec. 15, 1944
(94a) Woodstock.....	Illinois.....	McHenry.....	Oct. 1, 1943	Nov. 1, 1944	Dec. 15, 1944
(114c) Fairfield.....	Iowa.....	Jefferson.....	Jan. 1, 1944	Nov. 1, 1944	Dec. 15, 1944
(116a) Great Bend.....	Kansas.....	Barton.....	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
	Kansas.....	Ellis and Russell.....	Mar. 1, 1943	Aug. 1, 1944	Sept. 15, 1944
	Kansas.....	Pawnee.....	Mar. 1, 1943	Nov. 1, 1944	Dec. 15, 1944
(194) Clovis.....	New Mexico.....	Curry, De Baca, and Roosevelt.....	Mar. 1, 1942	Feb. 1, 1943	Mar. 15, 1943
(197) Roswell.....	New Mexico.....	Chaves and Eddy.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	New Mexico.....	Lea.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
(204) Poughkeepsie.....	New York.....	Dutchess, Ulster, and Orange, except that portion of Orange County which is within the West Point Military Reservation.....	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(211a) Westchester County.....	New York.....	Westchester.....	Aug. 1, 1944	Nov. 1, 1944	Dec. 15, 1944

This amendment shall become effective November 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16488; Filed, Oct. 26, 1944; 11:51 a. m.]

¹ 9 F.R. 3231.

² 9 F.R. 9513.

³ 9 F.R. 11322, 11540.

⁴ 9 F.R. 11335, 11541.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,² Amdt. 50]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respect:

Section 1407.168a is added to read as follows:

§ 1407.168a *Director of Food Rationing Division may issue instructions to importers of Cuban and Puerto Rican direct-consumption sugar.* (a) In accordance with the provisions of letter No. 2, to importers of Cuban and Puerto Rican direct-consumption sugar, dated November 2, 1943, as amended, issued by the Commodity Credit Corporation, conditioning reimbursement for deliveries of off-shore direct-consumption Cuban and Puerto Rican sugar upon compliance with instructions as to distribution, issued by the Office of Price Administration, the Director of the Food Rationing Division of the Office of Price Adminis-

tration may from time to time, by letter or otherwise, issue to importers of off-shore direct-consumption Cuban and Puerto Rican sugar instructions covering the delivery of such sugar.

This amendment shall become effective October 30, 1944.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 64, 8 F.R. 7093, 9 F.R. 4319)

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16483; Filed, Oct. 26, 1944; 11:49 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,² Amdt. 37 to 2d Rev. Supp. 1]

PROCESSED FOODS

The point values for "Applesauce" on the Official Table of Point Values (No. 20), referred to in § 1407.1102 (a), are amended to read as follows:

Over.....	0	7 oz.	10 oz.	14 oz.	1lb. 2oz.	1lb. 6oz.	2lb.	No. 10 size containers	Standard retail price per pound
Including.....	7 oz.	10 oz.	14 oz.	1lb. 2oz.	1lb. 6oz.	2lb.	3lb.		
Applesauce.....	10	10	10	20	30	40	50	130	29

This amendment shall become effective at 12:01 a. m., October 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., and by Pub. Law 383, 78th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16479; Filed, Oct. 26, 1944; 11:48 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,² Amdt. 20 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

The Official Table of Consumer Point Values (No. 20), referred to in § 1407.3027 (a), is amended by adding the following directly below the "Table of Point Values for Prepackaged Cheese and Canned Milk":

Spaghetti and macaroni dinners— packaged in combination with grated-dehydrated cheese.	Amount of cheese per package.	Over.....	0 oz.....	1½ oz.
		Including.....	1½ oz.....	3 oz.
	Point value per package.....		½.....	1.

This amendment shall become effective at 12:01 a. m., October 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., and by Pub. Law 383, 78th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319; WFO No. 58, 8 F.R. 2251, 9 F.R. 4319; WFO No. 59, 8 F.R. 3471, 9 F.R. 4319; WFO No. 61, 8 F.R. 3471, 9 F.R. 4319, and Supp. 1 to WFO No. 61, 9 F.R. 9134, 9389)

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16478; Filed, Oct. 26, 1944; 11:49 a. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3529, 3847, 3944, 4099, 4350, 4474, 4830, 5220, 5254, 5220, 5166, 5426, 5346.

² 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4824, 4950, 0103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278.

³ 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9268, 9278.

PART 1499—COMMODITIES AND SERVICES

[RMFR 165, Supp. Service Reg. 39]

HAND LAUNDRIES IN DENVER, COLO., AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 39 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 39 is hereby issued.

§ 1499.2274 *Hand laundries in the Denver, Colorado area*—(a) *Dollar-and-cents maximum prices established for hand laundry services sold by hand laundries in the Denver, Colorado area.* (1) The maximum prices established by Revised Maximum Price Regulation No. 165 for hand laundry services sold by hand laundries in the Denver, Colorado area are hereby modified and henceforth shall be the prices set forth in Appendix A.

(2) *Definitions.* As used in this supplementary service regulation the term: "Hand laundry" means a retail laundry establishment receiving and distributing laundry, generally finishing wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery service and employing 8 or less employees.

"Denver, Colorado, area" means within the corporate limits of the City and County of Denver.

"Shirts" as used in Appendix A means all shirts except the following:

Shirts made of silk, wool, rayon and other artificial fibers; gabardine shirts; full dress shirts. The prices of shirts included within the above exceptions shall be the prices for these items which were filed by the individual laundry with OPA. If no such prices have been filed, the maximum prices to be charged for all shirts shall be the price established by Appendix A.

(3) *Posting requirements.* Within 30 days after the issuance of this supplementary service regulation, every hand laundry located in the Denver, Colorado area shall post on its premises in a place and manner so that it is plainly visible to the purchasing public, a placard or card setting forth the maximum prices established in Appendix A.

(4) *Elimination of individual adjustments.* On and after the effective date of this Supplementary Service Regulation the provisions of Section 16 (a) of Revised Maximum Price Regulation No. 165 shall no longer be available to sellers covered by this regulation. On and after the effective date of this regulation, all surcharges and percentage surcharges made by hand laundries located in the Denver, Colorado area shall cease and all percentage adjustments granted by the Office of Price Administration to hand laundries in the Denver, Colorado area are hereby revoked.

(5) *Less than maximum prices.* Lower prices than those established by the regu-

lation may be charged, demanded, paid or offered.

(6) *Other services supplied by hand laundries.* Laundry services not listed in Appendix A, performed by hand laundries shall be governed by Revised Maximum Price Regulation No. 165.

This Supplementary Service Regulation No. 39 shall become effective October 31, 1944.

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

APPENDIX A

Laundry service:	Price
Shirts -----	\$0.15
Collars -----	.05
Undershirts -----	.10
Shorts -----	.10
Union suits -----	.20
Socks -----	.05
Pajamas -----	.25
Trousers and slacks -----	.35
Handkerchiefs -----	.03
Hand towels -----	.03
Bath towels -----	.04
Sheets -----	.10
Pillow cases -----	.05
Overalls -----	.30
Coveralls -----	.40
Overall pants -----	.25
Overall jackets -----	.25

[F. R. Doc. 44-16482; Filed, Oct. 26, 1944;
11:48 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

GEORGIA

DESIGNATION OF ATLANTA CAMPAIGN NATIONAL HISTORIC SITE

Whereas, the Congress of the United States has declared it to be a national policy to preserve for the public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States; and

Whereas, Ringgold Gap, Rocky Face Ridge, Resaca, Cassville, and New Hope Church, in the State of Georgia, are sites of significant engagements between the Union forces under Sherman and the Confederate forces under Johnston in the celebrated "Atlanta Campaign" of the War between the States; and

Whereas, the Congress has appropriated funds for the erection of permanent markers along the route followed by the armies in Georgia during the War between the States; and

Whereas, the lands necessary for the erection of markers commemorating the Battles of Ringgold Gap, Rocky Face Ridge, Resaca, Cassville, and New Hope Church were acquired in 1938, 1939, and 1940, pursuant to the Historic Sites Act of August 21, 1935 (49 Stat. 666), the title finally becoming vested in the United States on October 23, 1940:

Now, therefore, I, Abe Fortas, Acting Secretary of the Interior, by virtue of and pursuant to the authority contained in the Act of August 21, 1935, have designated the following described lands to be a national historic site, having the name "Atlanta Campaign National Historic Site":

RINGGOLD GAP SITE

That certain tract or parcel of land lying and being in Land Lot No. 192 in the 28th District and 3rd Section of Catoosa County, Georgia, described as follows: Beginning at a Georgia State Co-ordinate marker 9D-8 and running S. 35°23' E., a distance of 2077.19 feet to an iron pin, within the right-of-way of Georgia State Highway-U. S. No. 41, the point of beginning of this survey, thence S. 89°08' E., a distance of 8 feet, to a wooden stake on the north right-of-way line of this same highway, thence with same bearing a distance of 329.25 feet to an iron pin, thence S. 43°00' E., a distance of 237.7 feet to a wooden stake; thence S. 47°00' W., a distance of 235 feet to a wooden stake on the north right-of-way line of Georgia State Highway-U. S. No. 41, thence with same bearing a distance of 60 feet, crossing said highway, to a wooden stake on south right-of-way line of said highway, thence with same bearing a distance of 226.35 feet to a wooden stake in the north right-of-way line of the Western and Atlantic Railroad, thence with said right-of-way line a distance of 472.22 feet to the point of beginning, containing 4.26 acres.

ROCKY FACE RIDGE SITE

That certain tract or parcel of land lying and being in Land Lot No. 148, in the 12th District and 3rd Section of Whitfield County, Georgia, described as follows: Beginning at a Georgia State Coordinate marker and running N. 60°19' W., a distance of 2190.80 feet, to a wooden stake on the south right-of-way line of the Western and Atlantic Railway and the point of beginning of this survey; thence S. 31°24' W., a distance of 35.7 feet to the north right-of-way line of the Dixie Highway U. S. 41; thence with same bearing crossing the Dixie Highway a distance of 50 feet to a stake on the south right-of-way line; thence with the same bearing a distance of 62.8 feet to a stake; thence S. 1°26' W., 410 feet to a stake, the southeast corner of this tract; thence N. 88°34' W., a distance of 385 feet to the southwest corner of this tract; thence N. 1°26' E., a distance of 672.81 feet to a stake on the south right-of-way of the Dixie Highway U. S. 41; thence crossing said highway with the same bearing a distance of 50 feet to a stake on the north line of said highway; thence with the same bearing a distance of 200.56 feet to a stake, on the south right-of-way line of the W. & A. Railroad, this point being the northwest corner of this tract; thence S. 49°00' E., a distance of 599 feet to the point of beginning, containing 6.4 acres.

RESACA SITE

That certain tract or parcel of land lying and being in Land Lot No. 277, in the 13th District and 3rd Section of Gordon County, Georgia, described as follows: Beginning at an iron stake, the common corner of Land Lots Nos. 277, 276, 265, and 264, and running S. 35°57' W., a distance of 1556.7 feet to a stake, and the point of beginning of this survey; thence S. 22°36' E., a distance of 592.3 feet to a stake, marking the southwest corner of this tract; thence S. 67°24' E., a distance of 538.0 feet to a stake, on the east right-of-way line of the Dixie Highway and marking the southeast corner of this tract; thence following the eastern right-of-way line of the Dixie Highway of U. S. No. 41 a distance of 591.3 feet to a stake marking the northwest corner of this tract; thence N. 67°24' E., a distance of 533.65 feet to the point of beginning, containing 6.2 acres, more or less.

That certain tract or parcel of land lying and being in Land Lot No. 277, in the 13th District and 3rd Section of Gordon County, Georgia, described as follows: Beginning at a point in the west right-of-way line of U. S. Highway No. 41, which point is S. 67°24' W., a distance of 60 feet from the northwest corner of the above-described tract, said northwest corner being designated as stake No. 4 in the description of the above-described tract;

thence following the western right-of-way line of said U. S. Highway No. 41, S. 19°43' E., a distance of 125 feet to stake in the center of old Rooker Road; thence S. 20°50' E., along the western right-of-way line of said U. S. Highway No. 41, a distance of 160.9 feet to a stake on said right-of-way line of U. S. Highway No. 41; thence N. 28°55' W., a distance of 185 feet to stake in the center of old Rooker Road; thence N. 78°20' W., along the center of old Rooker Road a distance of 45 feet, to a stake; thence N. 22°36' W., a distance of 78 feet to a stake; thence N. 67°24' E., a distance of 70 feet to the western right-of-way line of said U. S. Highway No. 41, the point of beginning, containing twenty-hundredths (20/100) of an acre, more or less.

That certain tract or parcel of land lying and being in Land Lot No. 277, in the 13th District and 3rd Section of Gordon County, Georgia, described as follows: Beginning at a point in the west right-of-way line of U. S. Highway No. 41, which point is S. 67°24' W., a distance of 60 feet from the southwest corner of a tract of land formerly the Joseph M. Lang tract (now United States of America), said point of beginning being marked by stake; thence S. 67°24' W., a distance of 54.5 feet to a stake on big ditch; thence following said big ditch N. 27°05' W., a distance of 100 feet to a stake; thence N. 10°13' W., a distance of 100 feet to a stake; thence N. 15°22' W., a distance of 75 feet to a stake; thence N. 15°39' W., a distance of 100 feet to a stake; thence N. 12°40' W., a distance of 60.5 feet to a stake in the center of old Rooker Road; thence S. 77°28' E., a distance of 35 feet along the center of old Rooker Road to a stake on the western right-of-way line of U. S. Highway No. 41; thence following the western right-of-way line of said U. S. Highway No. 41, S. 22°02' E., a distance of 417.0 feet to the point of beginning, containing fifty-one one-hundredths (51/100) of an acre, more or less.

CASSVILLE SITE

That certain tract or parcel of land lying and being in Land Lot No. 88, in the 5th District and 3rd Section of Bartow County, Georgia, described as follows: Beginning at a point on the western side of the right-of-way of the Dixie Highway, which is U. S. Highway No. 41, which point is marked by an iron pipe, 2717.1 feet N. 52°34'20" E. of the southwest corner of said Land Lot No. 88; thence running N. 76°47' W., 210 feet to an iron pipe on the land line between this tract and the land of Mrs. G. W. Battle; thence running northerly 524.65 feet, more or less, along the line between the tract herein described and the land of Mrs. G. W. Battle which she conveyed to the Land Bank Commissioner to secure a loan, to the line of the land known, or formerly known, as that of Mrs. Mary Abernathy; thence in an easterly direction along the south line of the land known, or formerly known, as that of Mrs. Mary Abernathy 210 feet to the right-of-way of said Dixie Highway; thence in a southerly direction along the line of said Dixie Highway 525 feet, more or less, to the beginning point, containing 2.5 acres, more or less.

NEW HOPE CHURCH SITE

That certain tract or parcel of land lying and being in Land Lot No. 1249, in the 3rd District and 3rd Section of Paulding County, Georgia, described as follows: Beginning at the intersection of Land Lots Nos. 1249, 1250, 1199, and 1200 and running thence S. 2°11' E., a distance of 959.8 feet along the line between Land Lots Nos. 1249 and 1250 to a point and the beginning of this survey; thence with same bearing, a distance of 85.19 feet to a stake on the line between Land Lots Nos. 1249 and 1250; thence S. 79°31' W., a distance of 259.08 feet to a stump; thence N. 0°15' E., 262.15 feet to a stake in the center of a road; thence S. 45°52' E., a distance of 163.25 feet to a stake; thence S. 83°01' E., a distance of 134.22 feet to the point of beginning, containing 0.85 acres, more or less.

The administration, protection, and development, of this national historic site shall be exercised in accordance with the provisions of the Act of August 21, 1935.

Warning is expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this historic site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed, in the City of Washington, this 13th day of October 1944.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 44-16476; Filed, Oct. 26, 1944;
9:35 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 24—WEST CENTRAL REGION NATIONAL WILDLIFE REFUGES

UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE

Under authority of the Upper Mississippi River Wildlife and Fish Refuge Act of June 7, 1944 (43 Stat. 650), as amended, the first paragraph of § 24.919a of the regulations of the Secretary dated September 19, 1939 (50 CFR Cum. Supp., 24.919a), as amended, is hereby amended to read as follows:

§ 24.919a *Upper Mississippi River Wildlife and Fish Refuge; hunting.* In accordance with § 24.919 the hunting of upland game birds and game animals as defined by applicable State laws and of migratory waterfowl is permitted within the refuge, but only during the seasons fixed for the hunting of migratory waterfowl. Such hunting shall be in conformity with the regulations made under the Migratory Bird Treaty Act and the Upper Mississippi River Wildlife and Fish Refuge Act and the laws and regulations of the respective States not inconsistent therewith. No hunting is permitted in the areas specifically scheduled below.

OSCAR L. CHAPMAN,
Assistant Secretary.

OCTOBER 21, 1944.

[F. R. Doc. 44-16467; Filed, Oct. 26, 1944;
9:35 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. G-488]

CITIES SERVICE TRANSPORTATION AND CHEMICAL CO., AND CITIES SERVICE GAS CO.

ORDER MODIFYING PRIOR ORDERS AND TERMINATING PROCEEDINGS

OCTOBER 16, 1944.

It appears to the Commission that:
(a) By order entered September 21, 1944, the Commission granted the application of Cities Service Transportation and Chemical Company (hereinafter called "Transportation Company")

for a rehearing on the Commission's order of July 22, 1944, modifying the certificate of public convenience and necessity issued by order of September 30, 1943, in this proceeding, and provided that such rehearing be held commencing November 1, 1944, at 10:00 a. m., in the Commission's Hearing Room, 1800 Pennsylvania Avenue N. W., Washington, D. C.

(b) On October 12, 1944, the following designated supplements were filed with the Commission:

(1) "Supplement No. 1 to Submission of Proposed Plan for Permanent Financing" filed by the Transportation Company;

(2) "Supplement No. 1 to Submission of Proposed Plan for Operation" filed by the Transportation Company; and

(3) "Supplement No. 1 to Application for Certificate of Public Convenience and Necessity" filed by Cities Service Gas Company (hereinafter called "Gas Company").

By letter of October 12, 1944, Transportation Company requested permission to withdraw its petition for rehearing filed August 21, 1944, in this proceeding upon approval by the Commission of such proposed supplements.

(c) The supplement to the permanent plan of financing of the Transportation Company proposes that the indebtedness owing from Transportation Company to Empire Gas and Fuel Company (hereinafter called "Empire") in the amount of approximately \$9,500,000 be funded through issuance to Empire of (1) \$2,690,000 par value of capital stock (which will increase the outstanding stock of Transportation Company from \$310,000 to \$3,000,000 par value), and (2) a promissory note or notes in amounts equal to the balance of approximately \$6,500,000, such notes to bear 3 per cent interest payable semi-annually and mature in ten years. The original plan provided for 10-year 5½ per cent notes aggregating approximately \$9,200,000.

(d) The supplement to the plan of operation proposes that the term of the proposed lease between the Transportation Company and the Gas Company be changed from 10 years to 28 years, commencing the first day of the month immediately following favorable action thereon by the Commission.

(e) "Supplement No. 1 to the Application for Certificate of Public Convenience and Necessity" seeks authorization for the Gas Company to operate the properties of the Transportation Company in accordance with the terms of the proposed lease referred to in paragraph (d), above, by appropriate certificate of public convenience and necessity.

The Commission finds that:

(1) The proposed supplements to the plans of financing and operating the facilities of the Transportation Company, for which a certificate of public convenience and necessity was issued by the Commission's order of September 30, 1943, as modified by order of July 22, 1944, are reasonably appropriate and permissible under the circumstances obtaining in this matter and should be permitted

to become effective, as hereinafter ordered.

(2) The present and future public convenience and necessity require that the Commission's orders of September 30, 1943, and July 22, 1944, entered in this proceeding be modified so as to permit the Gas Company to operate the aforesaid facilities under the terms of the proposed lease agreement referred to in paragraph (d), above, and to permit the Transportation Company to operate such facilities upon the expiration of such lease, as hereinafter ordered.

The Commission orders that:

(A) Paragraphs (A), (B), (C) and (D) of the Commission's July 22, 1944, order in this proceeding be and the same are hereby vacated.

(B) The proposed plans for financing and operating the facilities of the Transportation Company, as revised by the aforesaid supplements, be and they are hereby permitted to become effective subject to the condition that the Transportation Company does not pay to Empire and Empire does not receive from the Transportation Company any interest in excess of the actual cost to Empire of securing the funds advanced or loaned to the Transportation Company.

(C) The Gas Company be and it is hereby authorized to operate until November 1, 1972, the facilities of the Transportation Company referred to in paragraph (1) of the Commission's September 30, 1943, order and more fully described in the application filed July 27, 1943, in this proceeding, for the transportation and sale of natural gas therein set forth, subject to the jurisdiction of the Commission, pursuant to the revised proposed agreement referred to in paragraph (d), above, and upon the terms and conditions of this order.

(D) Upon the expiration of such proposed lease agreement in 1972, if Transportation Company is able and willing and otherwise qualified under section 7 of the Natural Gas Act, as amended, to operate the facilities, the authority for such operation as granted by paragraph (C), above, shall revert to the Transportation Company. Paragraphs (A) and (J) of the September 30, 1943, order are hereby modified so as to permit the operation of the facilities as herein provided.

(E) Nothing herein contained shall be construed as an acquiescence by this Commission in any estimate or determination of cost or any valuation of such facilities. Nor shall the provisions of the agreements pertaining to the financing, leasing and operation of such facilities be considered as binding upon the Commission in any proceeding for the determination of rates, costs, or other matters.

(F) This authorization shall not be transferable and is without prejudice to the authority of this Commission or any other regulatory body with respect to any matter now pending or which may come before this Commission or other regulatory body.

(G) Nothing herein is to be construed as affecting in any manner the determination of the service area of the

Transportation Company or the Gas Company under section 7 (f) of the Natural Gas Act.

(H) Nothing contained in this order is to be construed as in any manner changing or affecting the Commission's Opinion No. 95, and Interim Order Reducing Rates entered July 28, 1943, in Docket No. G-141, or in any manner relieving the Gas Company from filing new rate schedules in conformity therewith.

(I) The Transportation Company's request to withdraw its application for rehearing filed August 21, 1944, in this proceeding, be and it is hereby granted.

(J) The proceeding in Docket No. G-488 be and the same is hereby terminated.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-16468; Filed, Oct. 26, 1944;
9:35 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC 29 (b)]

CREAM CHEESE

DETERMINATION NOT TO AMEND DEFINITION AND STANDARD OF IDENTITY

In the matter of a proposal to amend the definition and standard of identity for cream cheese.

By virtue of the authority vested in the Federal Security Administrator by provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701; 52 Stat. 1046, 1055; 21 U.S.C. 341, 371, 1940 ed.); the Reorganization Act of 1939 (53 Stat. 561 ff; 5 U.S.C. 133-133v (Supp. V, 1939)); and Reorganization Plans No. I (53 Stat. 1423) and No. IV (54 Stat. 1234); and upon the basis of the evidence of record at the hearing duly held pursuant to the notice issued on March 18, 1944 (9 F.R. 3042), and after consideration of exceptions filed to the proposed order issued by the Acting Federal Security Administrator on September 5, 1944 (9 F.R. 11115-16), the following order is hereby promulgated:

Findings of fact. 1. The fat and moisture content of cream cheese, conforming to the existing standard, varies considerably, the fat content ranging from about 33% to 49%, and the moisture content ranging from about 55% to 41%.¹

¹On December 22, 1942 an order was promulgated by the Federal Security Administrator establishing the definition and standard of identity for cream cheese, which among other things, fixes a minimum milk fat content of 33% and a maximum moisture content of 55% for such product and prescribes the process of manufacture. The standard does not prescribe a maximum limit for fat content, nor a minimum limit for moisture content. (7 F.R. 10758, 10759, 21 CFR, Cum-Supp., 19.515). The enforcement of the standard was stayed pending the termination of judicial proceedings to review the order. (See *Columbia Cheese Co. et al. v. McNutt, Federal Security Administrator*, 137 F. (2d) 576, certiorari denied, 64 S. Ct. 618, February 28, 1944.)

2. Cream cheese conforming to the existing standard is made by either the "cold pack" or "hot pack" process as described in findings 9, 11, and 24 promulgated with the standard (7 F.R. 10755, 10756).

3. Cream cheese consists essentially of moisture, milk fat, and nonfat solids. The nonfat solids consist of the casein of the milk or cream in the starting mix which has been coagulated in the manufacturing process, lactic acid formed during such process, soluble components of milk and cream, salt added for seasoning, and gum or other moisture-retaining agent.

4. The physical characteristics of cream cheese made by the cold pack method result from the amount of fat, moisture and nonfat solids contained in the finished product, the characteristics of such nonfat solids, and the manufacturing technique employed. Since the characteristics of nonfat solids vary, different batches of cream cheese of similar fat and moisture content may exhibit substantial differences in taste, texture and manner of spreading.

5. Quantitative differences in fat and moisture content of cream cheeses manufactured by the cold pack process result from the use of starting mixes containing different quantities of fat (see finding 11 promulgated with the standard) and the extent to which the whey has been removed in draining the curd. The quantity of fat in the starting mix fixes within narrow limits the percentage of fat in the dry matter of the resulting curd. By the use of a starting mix of an appropriate fat content and removing a predetermined quantity of whey, the manufacturer can produce cream cheese containing the proportions of fat and moisture he desires.

6. Cream cheese containing about 33% fat and 55% moisture can be manufactured from a starting mix containing about 10% fat, depending upon the characteristics of the milk and cream in the starting mix. By using such starting mix, no undue difficulty is encountered in making cream cheese by the methods prescribed in the standard containing the minimum quantity of fat and the maximum quantity of moisture permitted by the standard. Cream cheese of such fat and moisture content contains approximately 73% of fat in its solids, and was occasionally marketed before the promulgation of the standard.

7. The manufacture of cream cheese of predetermined fat and moisture content is less difficult by the hot pack process than by the cold pack process, since in the manufacture of hot pack cream cheese the maker can and usually does start with a cold pack cream cheese of known fat and moisture content and can adjust the fat and moisture by the addition of fixed quantities of milk or cream or both. (See finding 27 promulgated with the standard, 7 F.R. 10756).

8. Cream cheese containing about 36% to 39% of fat and about 51% to 55% of moisture, with about 77% to 80% of fat in the dry matter, is generally considered to be of better quality than cream cheese of the composition described in finding 6.

9. The consistency of cream cheese is related to the texture of the product and the manner in which it spreads. Smoothness of texture and ease of spreading are properties desired by some consumers. A good quality cream cheese is neither very soft nor very firm. While the proportion of fat in the dry matter in cream cheese made by the cold pack process is a material factor in controlling texture and manner of spreading, this proportion in cream cheese of like fat and moisture made by the hot pack process is not as important in this respect, since the hot pack process, unlike the cold pack process, affords an opportunity to manipulate the curd so as to obtain the desired consistency.

10. The consistency of soft uncured cheese sold as cream cheese and the manner in which such products spread vary considerably. Such characteristics of cream cheese containing about 33% of fat and not in excess of 55% of moisture are within the range of the degrees of consistency and manner of spreading exhibited by soft uncured cheese sold as cream cheese.

11. A large proportion of cream cheese contains about 36% to 39% of fat and 55% or less of moisture. A starting mix containing approximately 13% fat is commonly employed in the manufacture of such cream cheese. If a mix of such fat content is employed and less whey is drained from the curd, soft uncured cheese having a fat content of 33% and a moisture content of 57% to 58% can be manufactured. Soft uncured cheese of such composition contains more whey than normally remains in cream cheese made from a starting mix containing about 13% fat.

12. The consistency, smoothness and manner of spreading of soft uncured cheese containing 33% fat and 57% or 58% of moisture are similar to the corresponding properties of cream cheese of better quality described in finding 8. The soft uncured cheese containing 33% fat and 57% or 58% of moisture is cheaper to manufacture than such cream cheese, is of less nutritional value, and is more likely to exude moisture (whey) to an undesirable extent unless gum or other moisture-retaining agent is incorporated.

13. Where gum is used to hold the excess whey, soft uncured cheese containing about 33% fat and 57% to 58% moisture is likely to simulate cream cheese of higher fat and lesser moisture content. Under ordinary conditions of purchase, the consumer is not able to detect such replacement of fat by moisture.

14. In the commercial manufacture of cream cheese by the hot pack process, gum or other moisture-retaining agent is universally incorporated into the product in order to prevent excessive leakage of moisture, as described in findings 14, 15, and 16 promulgated with the standard (7 F.R. 10755, 10756). However, it is not the general commercial practice to incorporate such an agent in cream cheese manufactured by the cold pack process.

15. Because of the use of gum or other moisture-retaining agent, soft uncured cheese containing approximately 33% fat and 57% or 58% moisture made by the

hot pack process, is less likely to display undesirable leakage of whey than soft uncured cheese of similar composition made by the cold pack process.

16. No material distinction has ever been made between hot pack and cold pack cream cheese in the labeling of such products and consumers are not generally aware of the differences. Although the two types of cream cheese can generally be distinguished by experts, they cannot readily be distinguished by consumers.

17. Before the standard for cream cheese was promulgated, most of the so-called cream cheese then manufactured by the hot pack process contained approximately 23% to 30% of fat and approximately 60% to 65% of moisture, as stated in finding 26 promulgated with the existing standard. As recently as April, 1944, soft uncured cheese of approximately such composition was also marketed as cream cheese. While this product resembles cream cheese in general appearance (see finding 25 promulgated with the standard, 7 F.R. 10756), its consistency, because of its high moisture content, is quite soft. Such product is in fact neufchatel cheese, for which a definition and standard of identity has been promulgated (7 F.R. 10759, 21 CFR, Cum. Supp., 19.520).

Conclusions. On the basis of the foregoing findings of fact, it is concluded that:

(a) No material difficulty exists in manufacturing cream cheese to conform to the existing standard.

(b) Cream cheese containing the minimum quantity of fat and the maximum quantity of moisture permitted by the standard does not differ in identity from cream cheese of higher fat and lower moisture, although the latter product is generally of better quality due to the greater content of fat.

(c) It is likely that some consumers confuse neufchatel cheese with cream cheese as a result of former practices of marketing soft uncured cheeses. Since the standard for cream cheese has been in force for only a brief period it is not likely that consumers have become generally aware of the differences in the identity of such soft, uncured cheeses.

(d) Authorization to increase the moisture content of cream cheese to 57% or 58% would tend to encourage the production of cream cheese at the minimum fat content permitted by the standard, which would simulate a large proportion of cream cheese now being made of a substantially higher fat content. In effect, such authorization would permit the substitution of moisture for part of the fat, by the abuse of the function of gum or other moisture-retaining agent, contrary to the proper use of such agent in cream cheese, thus cheapening the product and lowering its food value. Such cheapened product would be deceptive to consumers.

(e) It would not promote honesty and fair dealing in the interests of consumers to amend the existing standard for cream cheese so as to permit an increase in the maximum amount of moisture.

Wherefore, *It is ordered*, That the regulation promulgated December 22, 1942 (7 F.R. 10755; 21 CFR Cum. Supp., 19.515), fixing and establishing a definition and standard of identity for cream cheese be not amended.

(Secs. 401, 701; 52 Stat. 1046, 1055; 21 U.S.C. 341, 371, 1940 ed.; the Reorganization Act of 1939; 53 Stat. 561 ff; 5 U.S.C. 133-133v (Supp. V, 1939); and Reorganization Plans No. I (53 Stat. 1423) and No. IV (54 Stat. 1234))

Dated: October 25, 1944.

[SEAL]

PAUL V. McNUTT,
Administrator.

[F. R. Doc. 44-16477; Filed, Oct. 26, 1944;
11:12 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 615]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, October 23, 1944, by M. Lapidus & Son of car PFE 74099, lettuce, now on the Burlington Lines, to Coppes Company, Stevens Point, Wisconsin (So.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16469; Filed, Oct. 26, 1944;
10:32 a. m.]

[S. O. 70-A, Special Permit 616]

RECONSIGNMENT OF LETTUCE AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943,

permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, October 23, 1944, by Max Lutz, Nampa, Idaho, of car PFE 93678, lettuce, now on the Union Pacific Railroad to S. Strock and Company, Easton, Mass. (Wab.-Erie-NYN&H).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16470; Filed, Oct. 26, 1944;
10:32 a. m.]

[S. O. 70-A, Special Permit 617]

RECONSIGNMENT OF POTATOES AT HOUSTON, TEX.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Houston, Texas, October 23, 1944, by Michael Swanson Brady Produce Company of car FGE 19001, potatoes, now on the Southern Pacific Lines (T&O), to Gordon Sewell Company, Lufkin, Texas (Sou. Pac.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of October 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-16471; Filed, Oct. 26, 1944;
10:32 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 368]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN KANSAS CITY, MO., AND CHICAGO, ILL.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compli-

ance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective October 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of October 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Roadway Express, Inc., Akron, Ohio.
Pacific Intermountain Express Co. (lessee and operator of M. K. & O. Truck Lines, a corporation), Kansas City, Mo.

Charles J. Hoffman, doing business as Chicago-Kansas City Freight Line, Kansas City, Mo.

[F. R. Doc. 44-16442; Filed, Oct. 25, 1944; 1:56 p. m.]

[Supp. Order ODT 6A-60]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN GLOBE, ARIZ. AND A ZONE EXTENDING TWENTY-FIVE AIR MILES FROM THE BOUNDARIES

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such

¹ Filed as part of the original document.

operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-60" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective October 30, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of October 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Virgil Burke, Globe, Ariz.
W. A. Hixon, Globe, Ariz.

[F. R. Doc. 44-16441; Filed, Oct. 25, 1944;
1:56 p. m.]

[Supp. Order ODT 20A-184]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN KEESEVILLE AND PORT KENT, N. Y. AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2, and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Keeseville and Port Kent, New York, so as to assure maximum utilization of their facilities, service and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the

operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein. No operator who now is or hereafter becomes a party to the plan shall be expelled therefrom or refused participation therein without the authority of the Office of Defense Transportation.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-184" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Albany, New York.

8. This order shall become effective November 2, 1944, and shall remain in full force and effect until the termina-

tion of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of October 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

John F. Morrow, Port Kent, N. Y.
Peter Loperance, Keeseville, N. Y.
Harold Finnegan, Keeseville, N. Y.
Henry C. Klages, Port Kent, N. Y.

[F. R. Doc. 44-16440; Filed, Oct. 25, 1944;
1:56 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 9 Under 3 (e) (3)]

CONCO ENGINEERING WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.3 (e) (3) of the General Maximum Price Regulation, *It is ordered:*

(a) The maximum prices for sales by distributors to dealers of the following automatic coal stokers made by Conco Engineering Works of Mendota, Illinois, shall be:

Model number:	Maximum price each
CD-6	\$178.00
CD-7	203.00
CD-10	260.00
CD-15	304.00
HD-20	392.00
HD-25	468.00
HD-35	520.00
HD-50	552.00

(b) The maximum prices established by this order are f. o. b. point of shipment.

(c) The maximum prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each distributor extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) This order does not establish maximum prices for the automatic coal stokers in question when sold on an installed basis. Maximum prices for such installed sales must be determined under the provisions of Revised Maximum Price Regulation No. 251.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective October 26, 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16462; Filed, Oct. 25, 1944;
4:48 p. m.]

* Filed as part of the original document.

[Order 10 Under 3 (e)]

SNOWDEN CHEMICAL CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to § 1499.3 (e) (3), *It is ordered:*

(a) The maximum per unit delivered prices for sales of Fire-Cide Dry Chemical Fire Extinguisher manufactured by Snowden Chemical Company, Modesto, California, shall be:

To whole-sale dealers	To retailers	To ultimate consumers
\$2.95	\$3.95	1 to 11 units, \$4.95 each. 12 to 71 units, \$4.45 each. 72 to 143 units, \$4.20 each. 144 and over, \$3.95 each.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to any wholesale dealer, Snowden Chemical Company, the manufacturer, shall furnish such wholesale dealer a written notice as follows:

Notice: The following maximum delivered prices per unit have been established by the Office of Price Administration for sales of Fire-Cide Dry Chemical Fire Extinguisher:

To whole-sale dealers	To retailers	To ultimate consumers
\$2.95	\$3.95	1 to 11 units, \$4.95 each. 12 to 71 units, \$4.45 each. 72 to 143 units, \$4.20 each. 144 and over, \$3.95 each.

Instructions

You are required by the OPA to send with or prior to your first delivery to a retailer a notice substantially as follows:

Notice: The following maximum delivered prices per unit have been established by the Office of Price Administration for sales of Fire-Cide Dry Chemical Fire Extinguisher by retailers to ultimate consumers:

	Each
1 to 11 units.....	\$4.95
12 to 71 units.....	4.45
72 to 143 units.....	4.20
144 and over.....	3.95

(d) With or prior to the first delivery of the aforesaid commodity to a retailer, the wholesale dealer shall furnish such retailer a written notice as follows:

Notice: The following maximum delivered prices per unit have been established by the Office of Price Administration for sales of Fire-Cide Dry Chemical Fire Extinguisher by retailers to ultimate consumers:

	Each
1 to 11 units.....	\$4.95
12 to 71 units.....	4.45
72 to 143 units.....	4.20
144 and over.....	3.95

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective October 26, 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16463; Filed, Oct. 25, 1944;
4:47 p. m.]

[Order 43 Under 3 (c)]

ACE FLY TRAP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) Ace Fly Trap Company, 2210 Edgewood Road, Cleveland, Ohio, may sell and deliver the new model plastic fly trap manufactured by Precision Molded Plastics, Inc., Cleveland, Ohio, at prices no higher than the following:

	Cents each
To wholesalers.....	30
To retailers.....	40
To ultimate consumers.....	60

These prices are f. o. b. Cleveland, Ohio, and are subject to a cash discount of 2% for payment within ten days.

(b) Any wholesaler may sell and deliver the plastic fly trap described in paragraph (a) above to retailers at a price no higher than 40¢ each, subject to the seller's customary discounts, allowances, and other price differentials.

(c) Any retailer may sell and deliver the plastic fly trap described in paragraph (a) above to ultimate consumers at prices no higher than 60¢ each.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October, 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16461; Filed, Oct. 25, 1944;
4:45 p. m.]

[MPR 64, Amdt. 2 to Order 150]

KEHM CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Order No. 150 under Maximum Price Regulation No. 34 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) The Kehm Corporation, 135 South LaSalle Street, Chicago, Illinois, may sell and deliver the new model No. KFC-60-2 coal heater with electric fan attachment which it manufactures at prices no higher than the following:

	Maximum price for sales in the metropolitan Chicago area	Maximum prices in all areas other than metropolitan Chicago area
To distributors.....	\$84	\$85.23
To the building trade.....	71	72.25

If The Kehm Corporation sells and delivers such heaters directly to the retailers through a selling agent, its prices shall be no higher than those set forth below for sales in each zone:

Zone 1.....	\$81.50
Zone 2.....	83.25
Zone 3.....	88.00

These prices are f. o. b. factory, and are subject to terms, discounts, and allowances, and other price differentials in effect during the base period January 15-June 1, 1941, on sales by the manufacturer.

This amendment shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16445; Filed, Oct. 25, 1944;
4:45 p. m.]

[MPR 188, Order 66 Under Order A-2]

COLUMBIA METAL FRAME CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Manufacturer' maximum prices.* Columbia Metal Frame Company, 409 Lafayette Street, New York, New York, may sell and deliver the photo frames of its manufacture at prices no higher than its maximum prices for such sales in effect prior to the effective date of this order, plus 4.2% of each such maximum price, which increases and adjusted maximum prices are as follows:

Model	Increase per dozen	Adjusted maximum price per dozen
PG-7.....	\$0.03	\$1.03
PG-10.....	.15	3.05
BL-4.....	.05	1.25
BL-5.....	.07	1.72
BL-6.....	.03	2.03
BL-10.....	.17	4.17
CC-7.....	.00	1.50
CC-8.....	.07	1.82
CC-10.....	.03	1.03

These increases may be made and collected only if separately stated. The

adjusted prices are subject to the manufacturer's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, other than a seller at retail, of a photo frame for which the manufacturer's maximum price has been adjusted as provided in paragraph (a) may add to his properly established maximum prices, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay the manufacturer, provided such amount is separately stated. Such adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials in effect during March 1942 to each class of purchaser.

(c) *Notification.* At the time of or before the first invoice to each purchaser for resale of an article covered by this order, at an adjusted price permitted by this order, the seller must furnish the purchaser with a written notice giving the number of this order and fully explaining its terms and conditions.

(d) *Profit and loss statement.* After the effective date of this order, Columbia Metal Frame Company shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16459; Filed, Oct. 25, 1944;
4:44 p. m.]

[MPR 188, Order 44 Under 2d Rev. Order A-3]

WELLS FURNITURE MANUFACTURING CO.
ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Manufacturer's maximum prices.* Wells Furniture Manufacturing Company, Laurel, Mississippi, may sell and deliver the office and school furniture of its manufacture at prices no higher than its net maximum prices for such sales in effect prior to the effective date of this order, plus 15% of each such maximum price. This adjustment applies to every item for which a maximum price was established under Maximum Price Regulation No. 188 prior to the effective date of this order, and may be made and collected only if separately stated. The adjusted prices are subject

No. 215—3

to a cash discount of 2½% for payment within ten days, net thirty days, and to the manufacturer's customary terms, allowances, and other price differentials in effect during March 1942 to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, who handles the office and school furniture for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of its distribution from the manufacturer to the user, may add to his properly established maximum prices, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay the manufacturer, provided such amount is separately stated. Such adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to such class of purchasers.

(c) *Notification.* At the time of or before the first invoice to each purchaser for resale or user of an article covered by this order, at an adjusted price permitted by this order, the seller must furnish the purchaser with a written notice giving the number of this order and fully explaining its terms and conditions.

(d) *Profit and loss statement.* After the effective date of this order, Wells Furniture Manufacturing Company shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16460; Filed, Oct. 25, 1944;
4:45 p. m.]

[MPR 188, 2d Rev. Order 1829]

REST-WELL BED BOARD CO.

APPROVAL OF MAXIMUM PRICES

Revised Order No. 1829 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) Second Revised Order No. 1829 establishes maximum prices for sales and deliveries of bed boards manufactured by Rest-Well Bed Board Company, 551 Fifth Avenue, New York 17, New York.

(b) For all sales and deliveries by the manufacturer to ultimate consumers, the maximum prices are those set forth below:

No.:	Price to consumers (f. o. b. factory)
1. 24" x 60" flat ¹ -----	\$4.12
1. 24" x 60" flat ² -----	4.53
2. 30" x 60" flat ¹ -----	5.30
2. 30" x 60" flat ² -----	5.83
3. 36" x 60" flat ¹ -----	5.83
3. 36" x 60" flat ² -----	6.41
4. 48" x 60" hinged-----	9.95
5. 30" x 60" folding-----	7.95
6. 36" x 60" folding-----	7.92
7. 22" x 44" flat-----	3.73
11. 30" x 63" (one elevation, reclining)-----	11.02
12. 30" x 63" (adjustable reclining)-----	12.45
12. 36" x 63" (adjustable reclining)-----	14.04
12. 48" x 63" (adjustable reclining)-----	15.74
22. 30" x 72" (four piece hospital board)-----	9.05
33. 30" x 72" (imitation hospital)-----	17.06

Back rests

A. Adjustable-----	\$6.69
B. Wood Grain Finished-----	4.85
C. Imitation Leatherette Finished-----	5.64

¹ East of Mississippi.

² West of Mississippi.

(c) For all sales and deliveries by the manufacturer to dealers the maximum price shall be forty percent (40%) off the maximum prices set forth above for sales by the manufacturer to consumers. These maximum prices for sales to dealers include delivery to the buyer's city.

(d) For all sales and deliveries by any person other than the manufacturer to ultimate consumers, the maximum price shall be the price set forth above in paragraph (a) for sales by the manufacturer to ultimate consumers.

(e) At the time of or prior to the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (d) above of this Second Revised Order No. 1829 for such resales. This notice may be given in any convenient form.

(f) This Second Revised Order No. 1829 may be revoked or amended by the Price Administrator at any time.

This Second Revised Order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16446; Filed, Oct. 25, 1944;
4:43 p. m.]

[MPR 188, Rev. Order 2181]

TITCHER LUMBER CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2181 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; It is ordered:

(a) This revised order establishes maximum prices for sales and deliveries,

of a juvenile set manufactured by Tinchler Lumber Company, 4909 Washington Avenue, S. E., Charleston, West Virginia.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile set.....	Folding...	Each \$4.77	Each \$5.62

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated July 27, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this revised order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile set.....	Folding...	Each \$5.62

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated July 27, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this revised order for such resales. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16447; Filed, Oct. 25, 1944; 4:46 p. m.]

[MPR 188, Rev. Order 2262]

CASALI SPECIALTY CABINET CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2262 under § 1499.158 of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of five juvenile rockers manufactured by Casali Specialty Cabinet Company, 3830 Holbrook Avenue, Hamtramck, Michigan.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile rocker (tapestry).....	800	Each \$6.32	Each \$7.44
Juvenile rocker (leatherette).....	900	7.54	8.87
	900	5.55	6.53
Juvenile rocker.....	700	2.52	2.96
	800	3.15	3.70

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's applications dated June 7, 1944 and September 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials

made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile rocker (tapestry).....	800	Each \$7.44
Juvenile rocker (leatherette).....	900	8.87
	900	6.53
Juvenile rocker.....	700	2.96
	800	3.70

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's applications dated June 7, 1944 and September 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provision of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this revised order for such resales. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16448; Filed, Oct. 25, 1944; 4:45 p. m.]

[MPR 188, Order 2643]

STERLING FURNITURE MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three high chairs manufactured by Sterling Furniture Company, West Sterling, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
High chair.....	{ 31 33	Each \$9.99 5.53	Each \$11.75 6.59

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, and are for the articles described in the manufacturer's application dated April 11, 1944.

(ii) For all sales and deliveries of high chair #30 by the manufacturer to other manufacturers, since the effective date of Maximum Price Regulation No. 188, the maximum price is \$5.52 each. This price is f. o. b. factory, and is for the article described in the manufacturer's application dated April 11, 1944.

(iii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) and (1) (ii) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
High chair.....	{ 31 33	Each \$11.75 6.59

These prices are subject to a cash discount of two percent for payment within ten days, and are for the articles described in the manufacturer's application dated April 11, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale,

maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16449; Filed, Oct. 25, 1944; 4:43 p. m.]

[MPR 188, Order 2644]

IGLOO CABINET CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a wall rack manufactured by Igloo Cabinet Company, 1701 North Damen Avenue, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Wall rack.....	1114	Each \$3.10	Each \$3.65

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 18, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March

1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Wall rack.....	1114	Each \$3.65

This price is subject to a cash discount of two percent for payment within ten days net thirty days, and is for the article described in the manufacturer's application dated August 18, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16450; Filed, Oct. 25, 1944; 4:44 p. m.]

[MPR 183, Order 2646]

HUNTSMAN WELDING SHIELD CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) The maximum prices for all sales and deliveries by Huntsman Welding Shield Company of Screwholding Screwdrivers of its manufacture, as described in its application dated June 28, 1944,

after such articles became subject to Maximum Price Regulation No. 188, are as follows:

Article	Blade size	Maximum selling prices	
		To jobbers	To retailers
Screw-holding screw driver.....	Inch 4	Each \$0.55	Each \$0.733
	6	.575	.766
	8	.625	.833

These maximum prices are f. o. b. factory and are subject to a cash discount of 2% 10 days, net 30 days.

(b) The maximum price for all sales and deliveries at wholesale for the screw-holding screwdrivers described in paragraph (a) above shall be the prices set forth below as follows:

Article	Blade size	Maximum selling price to retailers
Screw-holding screw drivers.....	Inch 4	Each \$0.733
	6	.766
	8	.833

These prices are f. o. b. sellers' city and are subject to terms, discounts and allowances no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the screwholding screwdrivers described in paragraph (a) above shall be as follows:

Article	Blade size	Maximum selling price to user
Screw-holding screw driver.....	Inch 4	\$1.10
	6	1.15
	8	1.25

(d) On each screwholding screwdriver shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 2646 may be revoked or amended by the Price Administrator at any time.

This Order No. 2646 shall become effective on the 26th day of October 1944.

- Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16451; Filed, Oct. 25, 1944; 4:46 p. m.]

[MPR 188, Order 2647]

REPUBLIC PRECISION MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9750 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of jar caps manufactured by the Republic Precision Manufacturing Company, 2317 West Grand Avenue, Chicago 12, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188; by the manufacturer to retailers, by the manufacturer to persons who stock the caps, and by the manufacturer to persons, other than retailers who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to stock-jobbers	Maximum price to persons, other than retailers who resell from the manufacturer's stock	Maximum price to retailers
Jar caps.....	70 MM.	Per gross \$0.81	Per gross \$0.90	Per gross \$1.00

These prices are for the articles described in the manufacturer's application dated August 3, 1944. They are f. o. b. factory and subject to a cash discount of 2% for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a) the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of

maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock or by persons who stock the jar caps, the maximum price is set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Jar caps.....	70 MM.....	Per gross \$1.00

This price is subject to cash discounts and terms no less favorable than those customarily granted by the seller.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, or by persons who stock the caps, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16452; Filed, Oct. 25, 1944; 4:44 p. m.]

[MPR 188, Order 2661]

HOLLYWOOD MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a cedar chest manufactured by Hollywood Manufacturing Company, P. O. Box 7162, Dallas, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Cedar chest.....	42 x 18	Each \$9.53	Each \$11.22

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 16, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Cedar chest.....	42 x 18	Each \$11.22

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated August 16, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16453; Filed, Oct. 25, 1944;
4:43 p. m.]

[MPR 188, Order 2662]

F. V. CARRICK NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a chair, a rocker, a what-not and two benches manufactured by F. V. Carrick Novelty Company, High Point, North Carolina..

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Chair.....	11	Each \$9.35	Each \$7.50
Rocker.....	12	6.25	7.50
What-Not.....	10	6.67	8.51
Bench.....	14	1.95	2.40
	15	1.95	2.40

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 24, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the

manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Chair.....	11	Each \$7.50
Rocker.....	12	7.50
What-Not.....	10	8.51
Bench.....	14	2.40
	15	2.40

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 24, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16454; Filed, Oct. 25, 1944;
4:46 p. m.]

[MPR 188, Order 2663]

RELIABLE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a play yard manufactured by Reliable Manufacturing Company, 1102 Scovill Avenue, Cleveland, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Play yard.....	40" x 26 1/4".....	Each \$3.99	Each \$4.70

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 25, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Play yard.....	40" x 26 1/4".....	Each \$4.70

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated August 25, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.-

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16455; Filed, Oct. 25, 1944;
4:48 p. m.]

[MPR 188, Order 2664]

CROSS AND ROGERS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of four stools manufactured by Cross and Rogers, 117 1/2 East Third Street, Little Rock, Arkansas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, the maximum prices are those set forth below:

Article	Model No.	Maximum price to retailers
Kitchen stool.....	200.....	Each \$1.35
Kitchen stool.....	200 D.....	1.63
Vanity stool.....	225 D.....	1.29
Industrial stool.....	325 D.....	1.76

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated August 25, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Kitchen stool.....	200.....	Each \$1.35
Kitchen stool.....	200 D.....	1.63
Vanity stool.....	225 D.....	1.29
Industrial stool.....	325 D.....	1.76

These prices are for the articles described in the manufacturer's application dated August 25, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16456; Filed, Oct. 25, 1944;
4:48 p. m.]

[MPR 188, Order 2665]

L. D. LIMBERRY

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of two upholstered juvenile rockers manufactured by L. D. Limberry, 564 East Gage Street, Memphis, Tennessee.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile rocker.....	{ 64 4	Each \$3.83 2.77	Each \$4.60 3.25

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated September 8, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum Price to retailers
Juvenile rocker.....	54 4	Each \$4.50 3.25

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated September 8, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16457; Filed, Oct. 25, 1944;
4:47 p. m.]

[MPR 188, Order 2608]

KIDDIE KOSTUMER Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a child's costume manufactured by Kiddie Kostumer Company, 12 Harcourt Street, Boston, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's costume.....	K. K.....	Each \$3.95	Each \$4.05

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated August 9, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's costume.....	K. K.....	Each \$4.05

This price is subject to a cash discount of two percent for payment within ten

days, net thirty days, and is for the article described in the manufacturer's application dated August 9, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of October 1944.

Issued this 25th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16453; Filed, Oct. 25, 1944;
4:46 p. m.]

[MPR 120, Order 1035]

IRA BREWER, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 3. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.214 and all other provisions of Maximum Price Regulation No. 120.

IRA BREWER, BOX 177, MORGANTOWN, W. VA., BREWER MINE, SEWICKLEY SEAM, MINE INDEX NO. 2077, MONONGALIA COUNTY, W. VA., RAIL SHIPPING POINT, MADDSVILLE, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 4

	Size group Nos.				
	1	2	3	4	5
Price classification.....	J	J	J	J	J
Rail shipment and railroad fuel.....	260	260	260	245	230
Truck shipment.....	235	230	235	245	235

BURE COAL CO., 503 CATHEDRAL ST., BALTIMORE, MD., BURE NO. 1 MINE, M. V. FREEPORT SEAM, MINE INDEX NO. 2079, FREESTON COUNTY, W. VA., RAIL SHIPPING POINT, BURE, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	J	J	J	J	J
Price classification.....	J	J	J	J	J
Rail shipment and railroad fuel.....	200	300	290	285	285
Truck shipment.....	310	310	285	275	265

GRASSLEI COAL CORPORATION, BOX 246, CLARKSBURG, W. VA., GRASSLEI MINE, PITTSBURGH SEAM, MINE INDEX NO. 2081, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT, WILSONBURG, W. VA., STRIP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	F	F	F	F	F
Price classification.....	F	F	F	F	F
Rail shipment and railroad fuel.....	275	275	260	250	240
Truck shipment.....	310	310	285	275	265

METZ AND CASTLE, TUNNELTON, W. VA., VICTORY NO. 2 MINE, M. V. FREEPORT SEAM, MINE INDEX NO. 2078, FREESTON COUNTY, W. VA., RAIL SHIPPING POINT, CAMP CHAPEL, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	J	J	J	J	J
Price classification.....	J	J	J	J	J
Rail shipment and railroad fuel.....	300	300	290	285	285
Truck shipment.....	310	310	285	275	265

NOTE: The size group numbers referred to herein for rail shipments and for railroad fuel are those described in the table of prices in Amendment No. 95 to maximum price regulation No. 120, and for truck shipments, as described in the table of prices in amendment No. 105 to Maximum Price Regulation No. 120.

This order shall become effective October 27, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of October 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-16489; Filed, Oct. 26, 1944; 11:52 a.m.]

Regional and District Office Orders.

[Region I Order G-20 Under SR 15, MPR 280, and MPR 329, Amdt. 4]

FLUID MILK IN RHODE ISLAND

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, as amended, and by § 1351.408 of Maximum Price Regulation 329, as amended, *It is hereby ordered*, That the title of the order and subparagraph (3)

of paragraph (a) be amended, a new subparagraph (5) be added to paragraph (a) and a new subparagraph (4) be added to paragraph (h) all to read as follows:

(a) * * *

(3) Rhode Island milk marketing areas 3, 6.

Milk	Retail: Delivered	Retail: Over counter	Wholesale: To stores, schools, restaurants, etc.	Wholesale: Dealer to peddlers (per quart)
Quart bottles.....	\$0.15	\$0.14	\$0.125	\$0.12
Pint bottles.....	-----	-----	.07	.125
10 ounce bottles.....	-----	-----	.0475	.125
Half-pint bottles.....	-----	-----	.0375	.125
8 quart cans.....	-----	-----	.06	-----
10 quart cans.....	-----	-----	1.20	-----
40 quart cans.....	-----	-----	4.40	-----

Producer price: \$4.00 per hundred-weight.

(5) Rhode Island Milk Marketing Areas 4A and 4B.

Milk	Retail: Delivered	Retail: Over counter	Wholesale: To stores, schools, restaurants, etc.	Wholesale: Dealer to peddlers (per quart)
Quart bottles.....	\$0.155	\$0.145	\$0.13	\$0.125
Pint bottles.....	-----	-----	.07	.13
10 ounce bottles.....	-----	-----	.05	.13
Half-pint bottles.....	-----	-----	.04	.13
4 quart cans.....	-----	-----	1.00	-----
10 quart cans.....	-----	-----	1.25	-----
40 quart cans.....	-----	-----	4.60	-----

Producer price: \$4.00 per hundred-weight.

(h) * * *

(4) Amendment No. 4 shall become effective October 22, 1944 at 12:01 a. m. (56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1944.

ELDON C. SHOUR,
Regional Administrator.

[F. R. Doc. 44-16422; Filed, Oct. 25, 1944; 12:15 p. m.]

[Region II Order G-9 Under SR 15 and MPR 280]

FLUID MILK IN NEW YORK

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 and § 1351.807 of Maximum Price Regulation No. 280, as amended, and pursuant to authorization received from the Price Administrator of the Office of Price Administration, *It is hereby ordered*, That:

(a) The maximum price for the sale and delivery in glass or paper containers of Grade A pasteurized or raw fluid milk and special or premium milk, in those portions of the State of New York described in Appendix A hereof at retail, at

wholesale to sub-dealers, or at wholesale to any other person (including industrial or commercial users) other than the ultimate consumer, and in other than glass or paper containers at wholesale to stores, hotels, restaurants, and institutions, shall be the seller's applicable maximum price as specified in the appropriate schedule of said appendix, except as specified in paragraph (b) hereof.

(b) *Special or premium milk.* Unless specified in the appropriate schedule of Appendix A, the maximum price for the sale and delivery in glass or paper containers of special or premium milk in those portions of the State of New York described in Appendix A hereof, at retail, at wholesale to sub-dealers, or at wholesale to any other person (including industrial and commercial users) other than the ultimate consumer, shall be increased over the applicable maximum price specified for the sale of Grade A pasteurized fluid milk in the appropriate schedule of said Appendix, by an amount equal to the seller's absolute differential in March 1942, if any, between his March 1942 prices for Grade A pasteurized fluid milk and such special or premium milk for the same type of sale and delivery in the same type and size of container.

(c) Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller must multiply such fractional unit figure by the total number of units in such sale or series of sales for which a single collection is made. Where the resulting amount contains a fraction of a half cent or more, the seller shall adjust the maximum price to the next higher full cent; where the fraction is less than a half cent, the seller shall adjust the maximum price to the next lower full cent. (For example, a maximum price of $3\frac{3}{4}$ ¢ for one unit shall be adjusted to 4¢ for one unit, 8¢ for two units, 11¢ for three units, 15¢ for four units, etc. A maximum price of $12\frac{1}{4}$ ¢ for one unit shall be adjusted to 12¢ for one unit, 25¢ for two units, 37¢ for three units, etc.) Deliveries to schools shall be considered multiple unit sales.

(d) All provisions of this order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

(e) Where fluid milk is sold and delivered in a container larger than the large-

est size of the specified unit container for which a maximum price is specified in the appropriate schedule set forth in Appendix A hereof, the seller's maximum price for the sale and delivery of fluid milk in such larger container shall be increased proportionately.

(f) *Geographical applicability.* The provisions of this order shall apply to all sales and deliveries of Grade A raw and pasteurized fluid milk, and special or premium milk as described in paragraphs (a), (b), and (j) hereof in those portions of the State of New York described in Appendix A.

(g) This Order No. G-9 supersedes and revokes Regional Orders Nos. G-2; G-5; G-6; G-8; G-9; G-11 issued by the Regional Administrator under § 1499.18 (c) of the General Maximum Price Regulation, Regional Orders No. G-1; and G-8; issued by the Regional Administrator under § 1499.75 (a) (9) of Supplementary Regulation No. 15; Regional Order No. G-4 issued by the Regional Administrator under § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of MPR 280, as amended; and Regional Order No. G-2 issued by the Regional Administrator under § 1499.75 (a) (9) of Supplementary Regulation No. 15 and § 1351.807 of MPR 280, as amended, and supersedes and revokes so much of Order No. G-3 under § 1499.75 (a) (9) of Supplementary Regulation 15 as establish adjusted maximum prices inconsistent with the maximum prices established herein.

(h) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms herein.

(i) This order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter either by special order or by price regulation issued hereafter or by supplementary order which may be contrary thereto.

(j) *Definitions.* (1) "Fluid milk" means cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk, but shall not include flavored milk.

(2) "Grade A pasteurized fluid milk" shall have the meaning prescribed for such type of milk by the appropriate statutes, orders or regulations of the State of New York, unless such definitions are superseded by statutes, orders or regulations of that political subdivision of the State of New York within which such type of milk is sold and delivered.

(3) "Special or premium milk" includes but is not limited to homogenized-vitamin D, certified, guernsey, golden guernsey, flavored milk, buttermilk, and other types of fluid milk except Grade A and which was sold at a price differential above the price for Grade A in a particular market during March 1942.

(4) "Sub-dealer" means any milk dealer handling Grade A pasteurized or raw fluid milk or any premium or special milk who purchases such Grade A

pasteurized or raw fluid milk or special or premium milk from processors or other milk dealers and who resells such milk in the same containers as those in which he purchased it.

(5) "At retail out of store" means the sale of Grade A pasteurized or raw fluid milk or special or premium milk at retail by a grocery store, meat market, dairy store, rooming house, or other establishment which delivers Grade A pasteurized or raw fluid milk or premium or special milk separately or together with other purchases and shall include a sale of Grade A pasteurized or raw fluid milk or premium or special milk at retail by a handler or subdealer at his plant or place of business.

(6) "At retail to the home" means a sale and delivery of Grade A pasteurized or raw fluid milk or special or premium milk at retail from an inventory stocked in trucks or other conveyances operated by driver-salesmen over regular routes and shall not include a sale of Grade A pasteurized or raw fluid milk or special or premium milk at retail by a grocery store, meat market, dairy store, rooming house or other establishment which delivers such milk separately or together with other purchases.

(7) "To subdealers" means the sale of Grade A pasteurized or raw fluid milk or special or premium milk in glass or paper containers to a subdealer delivered at the seller's place of business.

This order shall become effective October 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4861)

Issued this 4th day of October 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

APPENDIX A—SCHEDULE I

AREA I

The counties of Lewis, Livingston, Schoharie, Yates.

Cayuga County, with the exception of the city of Auburn, and the towns of Owego, Niles, Fleming, Moravia, Sennett, Aurelius, Thorop, Springport, Scipio, Mentz and Ledyard.

Clinton County, with the exception of the city of Plattsburg, and the towns of Plattsburg, Schuyler Falls, Peru, Saranac and Dannemora.

Franklin County, with the exception of the towns of Harletstown and Santa Clara;

Ontario County, with the exception of the towns of Geneva and Canandaigua.

Oswego County, with the exception of the cities of Oswego and Fulton and the towns of Volney, Granby, Oswego, Minetto, Scriba, New Haven and Mexico.

St. Lawrence County, with the exception of the towns of Canton, Lisbon, Oswegatchie, Morristown, DePeyster, and DeKalb, Potsdam, Stockholm, Louisville, Waddington, Massena, Madrid, Norfolk and Brasher, and the city of Ogdensburg.

Seneca County, with the exception of the towns of Waterloo and Seneca Falls.

Steuben County, with the exception of the towns of Erwin, Lindley, Corning, Caton and Hornellsville.

Wayne County, with the exception of the town of Arcadia.

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At whole-sale into-store	To sub-dealers	In other than glass or paper containers (bulk) to stores, hotels, restaurants and institutions	
				40 quart cans	Less than 40 quart cans
Quart.....	Cents 13½	Cents 11½	Cents 9½	Cents 10	Cents 10½
Pint.....	7½	6½	5½		
Half-pint.....	4½	3½	3		

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

SCHEDULE II

AREA II

The counties of Chelango; Cortland; Delaware; Otsego; Schuyler; Washington.

Breome County, with the exception of the city of Binghamton, the towns of Binghamton, Conklin, Dickinson, Fenton, Kirkwood, Union and Vestal.

Tioga County, with the exception of the town of Barton.

Tompkins County, with the exception of the town of Ithaca.

Clinton County in part: the city of Plattsburg and the towns of Plattsburg, Schuyler Falls, Peru, Saranac and Dannemora only.

Ontario County in part: the town and city of Canandaigua only.

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At whole-sale into-store	To sub-dealers	In other than glass or paper containers (bulk) to stores, hotels, restaurants and institutions	
				40 quart cans	Less than 40 quart cans
Quart.....	Cents 14	Cents 12	Cents 9½	Cents 10½	Cents 11
Pint.....	8	7	5½		
Half-pint.....	6	4	3		

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

SCHEDULE III

AREA III

The counties of Essex, Fulton, Hamilton, Herkimer, Jefferson, Madison, Montgomery and Warren.

Albany County, with the exception of the Albany Milk Marketing Area² and the cities of Cohoes and Watervliet, and the village of Green Island.

Onelida County, with the exception of Utica and Rome Milk Marketing Areas.²

Onondaga County, with the exception of the Syracuse Milk Marketing Area.²

Rensselaer County, with the exception of the Rensselaer and Troy Milk Marketing Areas.²

² See Schedule IV for the definition of this Milk Marketing Area and its applicable maximum prices.

Saratoga County, with the exception of the village of Waterford.

Schenectady County, with the exception of the Schenectady Milk Marketing Area.²

Cayuga County in part: the city of Auburn and the towns of Aurelius, Fleming, Ledyard, Mentz, Moravia, Niles, Owasco, Scipio, Senneft, Springport, Throop only.

Franklin County in part: the towns of Harrietstown and Santa Clara only.

Ontario County in part: the town of Geneva, including Geneva City only.

Oswego County in part: the cities of Fulton and Oswego and the towns of Granby, Mexico, Minetto, New Haven, Oswego, Scriba, Volney only.

St. Lawrence County in part: the towns of Brasher, Canton, DeKalb, DePeyster, Lisbon, Louisville, Madrid, Massena, Morristown, Norfolk, Oswegatchie, Potsdam, Stockholm and Waddington and the City of Ogdensburg only.

The higher of either of the following:

The seller's maximum price as determined under § 1499.2, general provisions of the General Maximum Price Regulation; or

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At whole-sale into-store	To sub-dealers	In other than glass or paper containers (bulk) to stores, hotels, restaurants and institutions	
				40 quart cans	Less than 40 quart cans
Quart.....	Cents 14	Cents 12	Cents 9½	Cents 10½	Cents 11
Pint.....	8	7	5½		
Half-pint.....	5	4	3		

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

SCHEDULE IV

AREA IV

Monroe County, with the exception of the towns of Clarkson and Sweden and The Rochester Milk Marketing Area;

Seneca County in part: the towns of Seneca Falls and Waterloo only;

Steuben County in part: the town of Hornellsville and the city of Hornell only;

Wayne County in part: the town of Arcadia only.

The higher of either of the following:

The seller's maximum price as determined under § 1499.2, General Provisions of the General Maximum Price Regulation; or

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At whole-sale into-store	To sub-dealers	In other than glass or paper containers (bulk) to stores, hotels, restaurants and institutions	
				40 quart cans	Less than 40 quart cans
Quart.....	Cents 14	Cents 12½	Cents 9½	Cents 10½	Cents 11
Pint.....	8½	7½	5½		
Half-pint.....	5	4	3		

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

Definition of area: "Rochester milk marketing area" means that portion of Monroe County which consists of the City of Rochester and the townships of Pittsford, Perinton, Irondequoit, Penfield, Webster, Greece, Gates, Chili, Brighton, Henrietta, Riga, Ogdens and Parma, all in the State of New York.

SCHEDULE V

AREA V

- Syracuse marketing area as defined below.
- Utica marketing area as defined below.
- Rome marketing area as defined below.
- Albany marketing area as defined below.
- Rensselaer marketing area as defined below.

f. Schenectady marketing area as defined below.

g. Troy marketing area as defined below.

h. That portion of the county of Albany consisting of the cities Cohoes, Watervliet and the village of Green Island.

i. That portion of the county of Saratoga consisting of the village of Waterford.

j. That portion of the county of Tioga consisting of the town of Barton.

k. That portion of the county of Steuben consisting of the towns of Erwin, Corning, Caton and Lindley.

l. That portion of the county of Monroe consisting of the towns of Sweden and Clarkson.

The higher of either of the following: The seller's maximum price as determined under § 1499.2, General Provisions of the General Maximum Price Regulation; or

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At whole-sale into-store	To sub-dealers	In other than glass or paper containers (bulk) to stores, hotels, restaurants and institutions	
				40 quart cans	Less than 40 quart cans
Quart.....	Cents 15	Cents 13	Cents 10½	Cents 11½	Cents 12
Pint.....	8	7	6		
Half-pint.....	5	4½	3½		

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

Definitions of areas. (a) "Syracuse milk marketing area" means that portion of Onondaga County, New York, which consists of the city of Syracuse and the towns of Camillus, Clay, Salina, Geddes, Onondaga, Cicero, DeWitt, Manlius, and the village of Warners.

(b) "Utica milk marketing area" means that portion of Onondaga County, New York,

which consists of the city of Utica and the towns of Deerfield, New Hartford, Marcy and Whitestown.

(c) "Rome milk marketing area" means that portion of Onondaga County, New York, which consists of the city of Rome and the towns of Rome and Westmoreland.

(d) "Albany milk marketing area" means that portion of Albany County, New York, which consists of the city of Albany and the towns of Bethlehem, Colonie, Guilderland and New Scotland.

(e) "Rensselaer milk marketing area" means that portion of Rensselaer County, New York, which consists of the city of Rensselaer and the town of East Greenbush.

(f) "Schenectady milk marketing area" means that portion of Schenectady County, New York, which consists of the city of Schenectady and the towns of Glenville, Rotterdam and Niskayuna.

(g) "Troy milk marketing area" means that portion of Rensselaer County, New York, which consists of the city of Troy and the towns of Brunswick and North Greenbush and Lansingburg.

SCHEDULE VI

AREA VI

The counties of Columbia, Greene, Orange, Rockland, Sullivan and Ulster.

The higher of either of the following:

The seller's maximum price as determined under § 1499.2, General Provisions of the General Maximum Price Regulation; or,

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At whole-sale into-store	To sub-dealers	In other than glass or paper containers (bulk) to stores, hotels, restaurants and institutions	
				40 quart cans	Less than 40 quart cans
Quart.....	Cents 14½	Cents 12½	Cents 10½	Cents 11	Cents 11½
Pint.....	8	7	6		
Half-pint.....	5	4½	3½		

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

² 10¢ per quart in the villages of Liberty and Monticello in the County of Sullivan.

³ 12¢ per quart in 40 quart cans and 12½¢ per quart in less than 40 quart cans in Rockland County.

SCHEDULE VII

AREA VII

Broome County in part: the city of Binghamton, the towns of Binghamton, Conklin, Dickinson, Fenton, Kirkwood, Union and Vestal only.

GRADE A RAW, OR PASTEURIZED

	Retail out-of-store	Retail to-the-home	At wholesale into-store	To sub-dealers	In other than glass or paper containers (bulk) to stores, hotels, restaurants and institutions	
					40 quart cans	Less than 40 quart cans
Quart.....	Cents 14	Cents (9)	Cents 12	Cents 9½	Cents 10½	Cents 11½
Pint.....	8		7	6½		
Half-pint.....	5		4	3		

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

² 15¢ per quart for single delivery of one container; 14¢ per quart for single delivery of two or more containers.

RAW OR PASTEURIZED JERSEY OR GUERNSEY MILK

	Retail out-of-store	Retail to-the-home	Wholesale into-store
Quart.....	Cents 16	Cents (9)	Cents 14
Pint ¹	8½	8½	8

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

² 16¢ per quart for single delivery of one container. 15¢ per quart for single delivery of two or more containers.

RAW OR PASTEURIZED CERTIFIED MILK

	Retail out-of-store and to-the-home	Wholesale into-store
Quart.....	Cents 17	Cents 15
Pint ¹	9½	8½

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

OTHER TYPES OF FLUID MILK

The maximum price for the sale and delivery of each type of fluid milk other than those types specified herein, shall be the maximum price established for the seller by § 1499.2, General Provisions of the General Maximum Price Regulation plus the amount set forth below for the appropriate type of delivery and container size:

	Out-of-store	To-the-home	Into-store	To schools
Quart.....	Cents 1	Cents None	Cents 1	Cents ½
Pint ¹	½	1	½	½
Half-pint ¹	None	None	½	None

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

Definitions. "Guernsey milk" means fluid milk produced from pure bred Guernsey cows.

GRADE A PASTEURIZED

	Out-of-store to-the-home glass containers	Out-of-store to-the-home paper containers	Into-store glass	Into-store paper	Sub-dealer, glass	Sub-dealer, paper	In other than glass or paper containers (bulk) to stores, hotels, restaurants and institutions	49-quart cans	Less than 49-quart cans
Quart.....	Cents 15	Cents 16	Cents 13	Cents 14	Cents 10½	Cents 11½		Cents 11	Cents 11½
Pint ¹	8	9	7	8	6	6½			
Half-pint ¹	5	5½	4½	5	3½	4			

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

"Jersey milk" means fluid milk produced from pure bred Jersey cows.

"Certified milk" shall have the meaning prescribed for such type of milk by the Sanitary Code established by the Public Health Council of the State of New York (Chapter 3, Revised February 28, 1941).

SCHEDULE VIII

AREA VIII

The County of Chemung. The higher of either of the following:

The seller's maximum price as determined under § 1499.2, General Provisions of the General Maximum Price Regulation; or

GRADE A PASTEURIZED

	At retail out-of-store and to-the-home	At wholesale into-store	To sub-dealers	In other than glass or paper containers (bulk) to stores, hotels, restaurants and institutions	49 quart cans	Less than 49 quart cans
Quart.....	Cents (9)	Cents 13	Cents 12	Cents 10½	Cents 11	
Pint ¹	8½	7½	7½	6½		
Half-pint ¹	5	4½	3			

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

² 15¢ per quart for single delivery of two containers or less; 14¢ per quart for single delivery of more than two and less than six containers; 13¢ per quart for single delivery of six containers or more.

SCHEDULE IX

AREA IX

Dutchess and Putnam Counties. The higher of either of the following:

The seller's maximum price as determined under § 1499.2, General Provisions of the General Maximum Price Regulation; or

SCHEDULE X

AREA X

The town of Ithaca, in Tompkins County. The higher of either of the following:

The seller's maximum price as determined under § 1499.2, General Provisions of the General Maximum Price Regulation; or

GRADE A PASTEURIZED

	Out-of-store and to-the-home	Into-store	In other than glass or paper containers (bulk) to stores, hotels, restaurants, and institutions	49 quart cans	Less than 49 quart cans
Quart.....	Cents 10	Cents 14		Cents 12	Cents 12½
Pint ¹	9	8			
Half-pint ¹	5	4			

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

SCHEDULE XI

AREA XI

City of Buffalo.

Grade A (Approved) Pasteurized to Schools

Quart.....	Cents 12½
Pint ¹	7
Half-pint ¹	3½
Third quart.....	4½

Special or Premium Milk: to Schools

Quart.....	Cents 13½
Pint ¹	7½
Half-pint ¹	3½
Third quart.....	5

¹ Where permitted by War Food Order No. 11, issued by the Office of Distribution of the War Food Administration.

SCHEDULE XII

AREA XII

Except as otherwise specified in Schedule XI hereof, the maximum prices for the sale and delivery of approved pasteurized milk and special or premium milk in the New York Metropolitan area; Suffolk County; the Rochester marketing area; the Buffalo marketing area, as hereinafter defined, shall be determined under the provisions of SR-14A to the General Maximum Price Regulation insofar as maximum prices are specified in SR-14A for particular types of wholesale and retail sales, and when not so specified, such maximum prices shall be the maximum prices as established by § 1499.2, General Provisions of the General Maximum Price Regulation.

Definitions of areas. "New York metropolitan area" means that portion of the State of New York consisting of the counties

of New York, Kings, Queens, Bronx, Richmond, Westchester and Nassau.

"Rochester marketing area" means the territory described in and forming the subject matter of Official Order No. 129, effective December 1, 1939, issued by the Department of Agriculture and Markets of the State of New York for the Rochester milk marketing area.

"Buffalo marketing area" means the territory described in and forming the subject matter of Official Order No. 127, effective October 1, 1938, issued by the Department of Agriculture and Markets of the State of New York for the Niagara Frontier milk marketing area.

[F. R. Doc. 44-16426; Filed, Oct. 25, 1944; 12:18 p. m.]

[Region II Order G-9 Under SR 15, and MPR 280, Corr.]

FLUID MILK IN NEW YORK

In Schedule VII of Appendix A of Order No. G-9, the price of 11 $\frac{3}{4}$ ¢ for the sale and delivery of bulk Grade A raw or pasteurized fluid milk to stores, hotels, restaurants and institutions in less than 40 quart cans is corrected to read "11 $\frac{3}{4}$ ¢".

This correction to Order No. G-9 shall be effective as of October 8, 1944.

Issued this 4th day of October 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-16427; Filed, Oct. 25, 1944; 12:18 p. m.]

[Region II Order G-10 Under SR 15]

FLUID MILK IN DELAWARE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1499.75 (a) (9) of Supplementary Regulation No. 15, *It is hereby ordered*, That:

(a) The maximum price for the sale and delivery in half-pint glass or paper containers of Grade A pasteurized fluid milk, Grade B pasteurized fluid milk, chocolate drink and buttermilk in that portion of the county of New Castle in the State of Delaware which lies north of the Chesapeake and Delaware Canal (including the City of Wilmington) at wholesale to any person (excluding schools and institutions) shall be the applicable adjusted maximum price set forth below:

Applicable Adjusted Maximum Price (Cents per One-Half Pint)

Grade or type of fluid milk:	
Grade A pasteurized.....	5
Grade B pasteurized.....	4
Chocolate drink.....	4
Buttermilk.....	4

(b) Except as provided in section (a) hereof, the maximum price for the sale and delivery of Grade A and B pasteurized fluid milk, chocolate drink, buttermilk or other special or premium milk in any size of glass or paper container at wholesale to schools or institutions, and at wholesale or retail to any other person shall be the seller's maximum price as

established by § 1499.2, General Provisions, of the General Maximum Price Regulation.

(c) All provisions of this order and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

(d) *Geographical applicability.* The provisions of this order shall apply to all sales and deliveries in glass or paper containers of Grade A or B pasteurized fluid milk and special or premium milk in that portion of the county of New Castle in the State of Delaware which lies north of the Chesapeake and Delaware Canal (including the City of Wilmington).

(e) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms herein.

(f) This order is subject to revocation or amendment by the Regional Administrator or by the Price Administrator at any time hereafter either by special order or by price regulation issued hereafter or by supplementary order which may be contrary thereto.

(g) *Definitions.* (1) "Fluid milk" means cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk, but shall not include flavored milk.

(2) "Grade A pasteurized fluid milk" shall have the meaning prescribed for such type of milk by the appropriate statutes, orders or regulations of the State of Delaware, unless such definitions are superseded by statutes, orders or regulations of that political subdivision of the State of Delaware within which such type of milk is sold and delivered.

(3) "Grade B pasteurized fluid milk" shall have the meaning prescribed for such type of milk by the appropriate statutes, orders or regulations of the State of Delaware, unless such definitions are superseded by statutes, orders or regulations of that political subdivision of the State of Delaware within which such type of milk is sold and delivered.

(4) "Special or premium milk" includes but is not limited to homogenized-vitamin D, certified, guernsey, golden guernsey, chocolate drink, flavored milk, buttermilk and other types of fluid milk except Grades A and B.

This order shall become effective October 20, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4861)

Issued this 19th day of October 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-16428; Filed, Oct. 25, 1944; 12:17 p. m.]

[Region II 2d Rev. Order G-26 Under RMPR 122, Amdt. 6]

SOLID FUELS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Second Revised Order No. G-26 is amended in the following respects:

1. Paragraph (a) (1) is amended by adding the following tables of increases to the tables already incorporated:

FOR SALES OF ANTHRACITE PRODUCED BY KENNERBERG COAL COMPANY AND PREPARED AT THEIR BREAKER LOCATED AT DURYEA, PA.

Permitted per Net Ton Increase Above Applicable Area Ceiling Price for Anthracite

Size:

Broken, egg, stove, nut, pea and buckwheat.....	\$0.30
Rice.....	.10

FOR SALES OF ANTHRACITE PRODUCED BY LOCUST COAL COMPANY AND PREPARED AT THEIR WESTON BREAKER, SHEENANDOAH, PA., EXCEPT ANTHRACITE PREPARED FOR MAHANCOY COAL MINING COMPANY

Permitted per Net Ton Increase Above Applicable Area Ceiling Price for Anthracite

Size:

Broken, egg, stove, nut, pea and buckwheat.....	\$0.30
Rice.....	.10

2. Paragraph (d) is amended by adding the following order to the list of orders there enumerated:

Order No. G-48 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

This Amendment No. 6 to Second Revised Order No. G-26 shall become effective October 16, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4861)

Issued this 14th day of October 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-16430; Filed, Oct. 25, 1944; 12:19 p. m.]

[Region II Order G-93 Under 18 (c), Amdt. 1]

SOUR CREAM IN NEW YORK CITY

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Ad-

ministration by § 1499.18 (c) of the General Maximum Price Regulation and pursuant to a written authorization from the Price Administrator, *It is hereby ordered, That:*

Paragraph (a) of Order No. G-93 be amended to read as follows:

(a) The maximum price for the sale and delivery of sour cream in glass or paper containers to a wholesaler in the New York Metropolitan milk marketing area shall be the higher of either of the following:

Paragraph (b) of said order be amended to read as follows:

(b) The maximum price for the sale and delivery of sour cream in glass or paper containers at wholesale to any person in the New York Metropolitan Milk Marketing Area other than the ultimate consumer shall be the higher of either of the following:

Paragraph (d) be amended by deleting therefrom sub-paragraph 3 thereof and substituting therefor a new sub-paragraph 3 to read as follows:

3. "The New York Metropolitan milk marketing area" means the City of New York (counties of New York, Queens, Bronx, Kings and Richmond) and counties of Westchester, Nassau and Suffolk (except Fisher's Island) all in the State of New York.

This Amendment No. 1 to Order No. G-93 shall become effective October 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 17th day of October 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-16429; Filed, Oct. 25, 1944;
12:18 p. m.]

[Birmingham Order 1 Under Restaurant
MPR 2]

POSTING REQUIREMENTS IN BIRMINGHAM, ALA., DISTRICT

For the reason set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Birmingham District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the underscored food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose

the table most applicable to your establishment.

(b) If you do not offer all the 40 underscored items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then, add as many other of the listed items which you usually offer to bring the total number to 40, with your ceiling price for each item. The items underscored, if offered in your establishment, must be included in your list of 40 items. If you still do not have 40 items and offer other food items for sale, list them on the poster until you have 40 items.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Birmingham District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the pro-

visions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Order No. 1 under Restaurant Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 3d day of August 1944.

JOSEPH A. SHORT,
District Director.

APPENDIX A

You must post and submit the list as required by sections 1 and 2 of this posting order of the following items and your ceiling prices therefor.

Appetizer

Vegetable or Fruit Juice
Fruit Cocktail
Shrimp Cocktail

Soup

Vegetable Soup
Tomato Soup

Egg Dishes

Bacon or Ham and Eggs
Two Eggs, Any Style
Omelettes

Fish Entrees

Filet of Sole
Broiled Mackerel
Red Snapper Steak
Tenderloin of Trout
Oysters, Fried

Meat Entrees

Liver and Bacon
Pork Chop
Hamburger Steak
Roast Beef
Roast Pork or Ham
Corned Beef Hash
Lamb Stew or Beef Stew
Lamb Chops (2)
Tenderloin Steak
Sirloin Steak
Veal Cutlet
Roast Lamb
Roast Veal
Fried Ham
Boiled Tongue
Chicken Pies
Chicken, Fried

Sandwiches

Ham
American Cheese
Lettuce and Tomato
Hamburger
Ham and Cheese
Peanut Butter, Package
Barbecue
Bacon and Tomato
Hot Dog
Hot Meat Sandwich

Salads

Combination
Fruit
Shrimp
Chicken
Potato Salad
Cole Slaw
Lettuce and Tomato

Beverages

Coffee (cup)
Tea (cup)
Milk (pint or half pint)
Hot Chocolate
Ice Cream Soda
Bottled Soft Drinks

Miscellaneous

Hot Cakes and Syrup
Baked Spaghetti or Macaroni
Pork and Beans
Vegetable Plate
Cereals—Hot or Cold
Chili Con Carne
Potato Chips

Desserts

Fruit Pies
Ice Cream and Sherbets
Cakes
Puddings
Stewed Fruits
Custards

Meals

I—Club Breakfast—Fruit, Toast and Coffee
II—Club Breakfast—Cereal, Toast and Coffee
III—Club Breakfast—Fruit, or Cereal, 2 Eggs
or 1 Egg with Ham or Bacon, Toast and Coffee

Plate Luncheon (3 courses)
Regular Dinner (5 courses)

[F. R. Doc. 44-16431; Filed, Oct. 25, 1944;
12:19 p. m.]

[Richmond Order 1 Under Restaurant MPR 2]
POSTING REQUIREMENTS IN RICHMOND, VA.

Pursuant to instructions of the Administrator, Office of Price Administration, and under the authority vested in the District Director of the Richmond District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation Number 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 21, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for forty food items and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the forty items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to forty, with your ceiling price for each item.

(c) If you do not offer as many as forty items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 26, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature. The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours. If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Richmond District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation Number 2 are exempted from this order.

SEC. 6. Effective date. This order shall become effective immediately.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 12th day of August 1944.

H. T. WILLIAMS, Jr.,
Acting District Director.

- APPENDIX A

TABLE 1—GENERAL LIST

1. Tomato or fruit juice.
2. Fruit cocktail.
3. Shrimp cocktail.
4. Vegetable soup.
5. Bacon or ham and eggs.
6. Two eggs any style.
7. Fish cakes.
8. Baked fish.

9. Fried fish.
10. Liver and bacon.
11. Pork chops.
12. Hamburger steak.
13. Roast beef.
14. Roast pork or ham.
15. Lamb stew or any meat stew.
16. Fried chicken.
17. Lamb chops (2).
18. Tenderloin steak.
19. Minute Sirloin steak.
20. Roast lamb.
21. Roast veal.
22. Roast turkey.
23. Meat pie.
24. Hot meat sandwiches.
25. Ham sandwich.
26. Ham and egg sandwich (or bacon and egg).
27. American cheese sandwich.
28. Hot cakes and syrup.
29. Cereals, hot or cold.
30. Vegetable plate.
31. Pork and beans.
32. Croquettes.
33. Pie and ice cream.
34. Hamburger or hot dog sandwiches.
35. Combination salad (fruit or vegetable).
36. Coffee (cup or pot).
37. Tea (cup or pot).
38. Milk (one-half pint).
39. Club breakfast
(fruit or cereal, 2 eggs, or 1 egg with ham or bacon, toast and coffee).
40. Chicken dinner.

TABLE 2—CHINESE LIST

1. Tomato or fruit juice
2. Fruit cocktail
3. Shrimp cocktail
4. Chicken broth
5. Rice soup
6. Bacon or ham and eggs
7. Fried noodles
8. Fried rice
9. Egg foo young
10. Egg roll
11. Chinese mixed vegetables
12. Chop suey
13. Chow mein
14. Chinese dinner
15. Fried fish
16. Chicken giblets and rice
17. Fried chicken
18. Lamb chops
19. Pork chops
20. Tenderloin steak
21. Roast turkey
22. Chicken sandwich, hot (gravy and potatoes)
23. Cold chicken sandwich
24. Ham sandwich
25. American cheese sandwich
26. Croquettes
27. Apple pie and ice cream
28. Rice pudding
29. Jello
30. Combination salad (fruit or vegetable)
31. Chicken salad
32. Coffee (cup or pot)
33. Tea (cup or pot)
34. Milk (one-half pint)
35. Chicken Chow Mein dinner
36. Chop Suey dinner
37. Shrimp Chop Suey dinner
38. Seafood dinner
39. Roast rib beef dinner
40. Cold plate dinner (with cold ham)

TABLE 3—SEAFOOD LIST

1. Tomato or fruit juice
2. Fruit cocktail
3. Shrimp cocktail
4. Crabmeat cocktail
5. Oysters on half shell
6. Clams on half shell
7. Clam chowder
8. Vegetable soup
9. Bacon, ham and eggs

10. Fillet of sole
11. Broiled fish
12. Baked fish
13. Fried fish
14. Fish cakes
15. Fried scallops
16. Seafood stew
17. Half dozen fried oysters
18. Dozen fried oysters
19. Broiled baby lobster
20. Broiled lobster
21. Tenderloin steak
22. Minute steak
23. Cold cuts and salad
24. Fried chicken
25. Chicken a la King
26. Deviled crabs
27. Apple pie
28. Ice cream
29. Lobster salad
30. Combination seafood salad
31. Cold seafood plate
32. Hot seafood plate
33. Coffee (cup or pot)
34. Tea (cup or pot)
35. Milk (one-half pint)
36. Lamb chop
37. Roast turkey
38. Virginia ham
39. Seafood dinner (5 course)
40. Fried shrimp

[F. R. Doc. 44-16437; Filed, Oct. 25, 1944;
12:21 p. m.]

[Region IV Rev. Order G-10 Under RMPR
122]

SOLID FUELS IN DESIGNATED COUNTIES OF VIRGINIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule—consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when the delivery is made to any point within the boundaries of the Independent City of Richmond, of the County of Chesterfield except the Matoaka Magisterial District, or of the Counties of Henrico or Hanover. In section (c) (2), extra charges are specified for deliveries by any dealer beyond the corporate limits of the city or town in which his yard is located.

(i) "Direct delivery or domestic" basis:

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT No. 7

Size	Per ton 2,600 lbs.	Per 1/2 ton 1,300 lbs.	Per 1/4 ton 650 lbs.
Egg (Double Screened).....	\$12.00	\$3.61	\$3.61
Egg (Single Screened).....	11.00	3.31	3.31
Stove size (Double Screened)....	12.25	3.63	3.63
Stove size (Single Screened)....	11.25	3.13	3.13
Nut size (Double Screened).....	10.83	3.01	3.01
Nut size (Single Screened).....	10.40	2.70	2.70
Pea Stoker.....	10.05	2.53	2.53
Run-of-Mine (Screened).....	9.69	2.43	2.43
Run-of-Mine (Straight).....	9.69	2.43	2.43
Nut and Slack.....	9.55	2.53	2.15

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Egg (Double Screened).....	\$10.45	\$3.73	\$3.37
Egg (Single Screened).....	9.45	3.43	3.21
Stove size (Double Screened)....	10.45	3.73	3.37
Stove size (Single Screened)....	9.45	3.43	3.21
Run-of-Mine (Screened).....	9.45	3.23	3.10

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Lump.....	11.05	3.63	3.53
Egg (Double Screened).....	10.70	3.76	3.53
Egg (Single Screened).....	10.65	3.63	3.27
Stove Size.....	9.89	3.49	3.29
Nut Size—Pea Size Stoker.....	10.69	3.49	3.25
Run-of-Mine.....	8.85	4.73	2.97

PENNSYLVANIA ANTHRACITE COALS

Anthracite, Egg, Stove, Nut...	\$15.00	\$3.45	\$4.73
Anthracite—Pea.....	14.05	7.23	4.27
Anthracite—Rice.....	12.10	0.75	3.78

BRIQUETTES

Briquette.....	\$12.05	\$3.83	\$3.62
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(ii) Coal sold in bags or sacks:

COAL SOLD IN 100 POUND BAGS

	Delivered price	Cash and carry at yard
Low Volatile Egg and Stove.....	\$9.75	\$6.05
Semi-Smokeless Egg and Stove.....	.60	.50
High Volatile Egg and Stove.....	.60	.60
Pennsylvania Anthracite (All Sizes)...	.04	.64

The dealer may charge no more than ten cents per 100 pound bag when he furnishes bags to the consumer.

An additional charge of not more than \$3.50 per ton may be made for putting up coal in paper bags for sales of not less than one ton.

When High Volatile Stove or Nut coal is sold in 12 pound bags, the maximum prices are 10¢ for one, 23¢ for three if sold in one cask.

When High Volatile Stove or Nut coal is sold in 12 pound bags to retailers, the maximum price is 8½¢ per bag.

(2) *Maximum authorized service charges and required deductions.*—(i) *Carry or wheel service.* If buyer requests such service, the dealer may charge not more than 50¢ per ton therefor if wheelbarrow is used, and not more than 75¢ per ton therefor if the delivery is of bagged coal.

(ii) *Carry up or down stairs.* If buyer requests such service, the dealer may charge not more than \$1.00 therefor.

(iii) *Yard discounts.* When the buyer picks up coal at the dealer's yard the dealer must reduce the domestic price at least \$1.00 per ton. On sales at the yard to other dealers properly licensed by the City of Richmond or other duly constituted authorities, the dealer must reduce the domestic price at least 1.50 per ton.

(iv) *Quantity discounts.* When the buyer purchases more than 40 tons and up to 200 tons per year for consumption in one building, the dealer must reduce the domestic price at least \$1.25 per ton; and when the buyer purchases more than 200 tons per year for consumption in one building, the dealer must reduce the domestic price at least \$1.75 per ton, and on such sales no other discounts need be made.

(v) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order, the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other items on the invoices.

(vi) *Terms.* No additional charges over the prices listed may be made for the extension of credit. If payment is made within 10 days from date of delivery, at least \$1.00 per ton shall be deducted from the prices in section (c) (1) of this order. If payment is made within 30 days from date of delivery, at least 50¢ per ton shall be deducted from the prices listed in section (c) (1).

(vii) *Delivery charges.* A dealer may make no charges for delivery within the corporate limits of the city or town in which the dealer's yard is located. For deliveries beyond the corporate limits of the city or town in which his yard is located, a dealer may make an additional charge of not more than 10¢ per mile per ton for the distance beyond the corporate limits of such city or town and may impose a minimum charge of not more than 50¢ for each such delivery, said mileage being determined by the actual highway mileage from the city limits to the point of delivery by the most direct highway route.

(d) *Ex Parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the *Ex Parte 148* freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations*—(1) *Licensing and registration.* Every dealer subject to this order is subject to the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. These sections provide, in brief, that a license is required of all persons selling, at retail, commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for a license, but a dealer may later be required to register. A license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended,

he may not sell any such commodity during the period of suspension.

(2) *Effect of this order on revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or

legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(1) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) This Revised Order No. G-10 under Revised Maximum Price Regulation No. 122 incorporates all the provisions of Order No. G-10 under Revised Maximum Price Regulation No. 122, and of all amendments and supplementary orders issued thereunder; therefore, as of the effective date hereof, this revised order supersedes said order No. G-10 and all

such amendments and supplementary orders.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective October 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued October 14, 1944.

JAMES F. ARMSTRONG,
Acting Regional Administrator.

[F. R. Doc. 44-16425; Filed, Oct. 25, 1944;
12:16 p. m.]

[Region IV Order G-25 Under RMPR 122]

SOLID FUELS IN DESIGNATED COUNTIES OF VIRGINIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(i) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule—Consumer sales.* (1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made to consumers at any point in Dinwiddie or Prince George Counties, in the Matoaka Magisterial District of Chesterfield County, or in the Independent Cities of Petersburg and Hopewell, all in the State of Virginia. In section (c) (2) extra charges are specified for deliveries by any dealer beyond the corporate limits of the city, township or county, as the case may be, in which his yard is located.

No. 215—5

(i) "Direct delivery or domestic basis:

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NOS. 7 AND 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Egg (size group No. 2), top size larger than 3", bottom size no limit, in price classifications A-D inclusive....	\$10.49	\$5.25
Stove (size group No. 3), top size larger than 1½" but not exceeding 3", bottom size smaller than 3", in price classifications A-E inclusive.....	10.09	5.25
Nut (size group No. 4), top size larger than ¾" but not exceeding 1½", bottom size smaller than 1½", in price classifications A-E inclusive....	9.15	4.63
Pea stoker (size group No. 5), top size not exceeding ¾", bottom size smaller than ¾", in price classifications A-D inclusive.....	8.49	4.45
Domestic or screened run of mine (size group No. 6), in price classifications A and B.....	9.05	4.73
Straight run of mine (size group No. 7), in price classifications A and B.....	8.55	4.23
Briquets (made from low volatile bituminous coal from district No. 7).....	10.85	5.43

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT No. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Egg (size group No. 6), top size 6" to larger than 6", bottom size 2" and smaller, in price classifications E-L inclusive.....	\$9.75	\$4.83
Stove (size group No. 8), top size 3" to larger than 2", bottom size 2" and smaller, in price classifications E-H inclusive.....	8.05	4.03
Yard stock (from coal from districts Nos. 7 and 8).....	6.70	3.35

(2) *Maximum authorized service charges and required deductions—(i) Carry or wheel from curb.* If buyer requests such service, the dealer may not charge more than 50¢ per ton therefor.

(ii) *Carry up or down stairs.* If buyer requests such service, the dealer may not charge more than \$1.00 per ton therefor.

(iii) *Sacked coal.* For High Volatile Egg and Stove coals from District No. 8, in paper sacks at the yard, dealer may charge not more than 25¢ for 35 lbs. and 35¢ for 50 lbs., paper sacks included.

For High Volatile Egg and Stove coals from District No. 8 in 100 pound lots at the yard, dealer may charge not more than 50¢, and for Low Volatile Egg and Lump in 100 pound lots at the yard, dealer may charge not more than 60¢ when the customer furnishes the receipt.

(iv) *Treated coals.* If a dealer's supplier has subjected the coal to oil or calcium chloride treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order, the amount of such charge, not to exceed 10¢ per net ton. Any such treatment charge shall be stated separately from all other items on the invoices.

(v) *Yard discounts.* For sales at the yard to consumers, the dealer must reduce prices at least 50¢ per ton, and for sales at the yard to other dealers, dealer must reduce prices at least \$1.00 per ton.

(vi) *Delivery zone.* For deliveries beyond the corporate limits of the city, township, or county (whichever is the smaller geographical unit) in which the dealer's yard is located, the dealer may add 10¢ per ton per mile and may impose a minimum charge of not more than 50¢ for such delivery.

(vii) *Terms for credit.* The prices set in the price list are net for payment in 30 days. For credit of longer than 30 days from date of delivery, the dealer may add not more than 50¢ per ton.

(d) *Ex Parte 143 freight rate increase: transportation tax—(1) The freight rate increase.* Since the Ex Parte 143 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see Amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations—(1) Licensing and registration.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable

price schedules, regulations, or orders. A seller whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or

any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct Delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(i) "Direct Delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight, August 23, 1943, except that "run-of-mine" shall be that size sold, as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

NOTE: The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective October 19, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued October 14, 1944.

JAMES F. ARMSTRONG,
Acting Regional Administrator.

[F. R. Doc. 44-16424; Filed, Oct. 25, 1944;
12:16 p. m.]

[Region IV Order G-26 Under RMPR 122]

SOLID FUELS IN ALABAMA AREAS

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point in the area set out in paragraph (c) hereinafter.

(2) Paragraph (c) of this order contains a price schedule applicable to sales of the solid fuels named therein. Special charges and discounts applicable to such sales are likewise found in that paragraph.

(b) *What this order prohibits.* Regardless of any contract, agreement, or other obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this order, but less than maximum prices may, at any time, be charged, paid or offered; or

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer or which is not specifically authorized by this order;

(ii) Using any tying agreement by making any requirement that anything other than the fuel requested by the buyer be purchased by him; or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule—consumer sales.*

(1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made within the corporate or township limits of Birmingham, Tarrant City, Fairfield, Homewood, Mountain Brook, Bessemer, Leeds, Irondale, Lipscomb, and Brighton, all in the State of Alabama and within the area lying within twenty miles of said limits by the most direct highway route. A free delivery zone is established for each dealer and extr. charges are set forth for delivery beyond such zone. (Each dealer must determine his source of supply as to each size and classification of solid fuel by reference to Maximum Price Regulation No. 120, as amended, and then determine his maximum price for each size and classification by reference to the price list herein).

(i) "Direct delivery or domestic" basis:

BITUMINOUS COAL FROM DISTRICT NO. 13

	Per ton 2,000 lbs.	Per 1/2 ton 1,000 lbs.	Per 1/4 ton 500 lbs.
ALL LUMP AND DOUBLE SCREENED EGG COALS (SIZE GROUPS THROUGH 5)			
From mines in price group 8, sub- district No. 1	\$10.25	\$5.38	\$2.81
From mines in price groups 6 and 7, and from (exceptions) mine index Nos. 11, 13, 21, 212, 1733, all in sub- district No. 1 and trucked from mines in price groups 1 and 2, and from (exceptions) all mine index num- bers excepted, all in subdistrict No. 2	8.95	4.73	2.49
From mines in price group 9, and from (exceptions) mine index Nos. 56, 63, 2012, 2026, and 2027, all in subdis- trict No. 1, and trucked from mines in price groups 3 and 5, and from (exceptions) mine index Nos. 2012, 2026, and 2027, all in subdistrict No. 2	8.20	4.36	2.30
From mines in price groups 3 and 4, and from (exceptions) mine index Nos. 35, 53, and 63, all in subdis- trict No. 1, and trucked from mines in price groups 4, 6, and 7, in sub- district No. 2	7.55	4.03	2.14
From mines in price group 1, in sub- district No. 1	7.05	3.78	2.01
NUT AND CHESTNUT COALS (SIZE GROUPS 6, 8, AND 10, WASHED)			
From mines in price group 8, in Subdistrict No. 1	8.85	4.63	2.46
From mines in price groups 6 and 7, and from (exceptions) mine index Nos. 11, 13, 21, 212, and 1733, all in subdistrict No. 1, and trucked from mines in price groups 1, 2, and 3, and from (exceptions) all mine index numbers excepted, all in subdistrict No. 2	8.45	4.48	2.33
From mines in price group 9, and from (exceptions) mine index Nos. 56, 69, 2012, 2026, and 2027, all in subdistrict No. 1, and trucked from mines in price groups 4 and 5, and from (exceptions) mine index Nos. 2012, 2026, and 2027, all in sub- district No. 2	8.00	4.23	2.25
From mines in price groups 3 and 4, and from (exceptions) mine index Nos. 35, 53, and 63, all in subdis- trict No. 1, and trucked from mines in price groups 6 and 7, in subdis- trict No. 2	7.45	3.88	2.11
From mines in price group 1, in sub- district No. 1	7.05	3.78	2.01
NUT AND CHESTNUT COALS (SIZE GROUPS 7, 9, AND 11, RAW)			
From mines in price group 8, in sub- district No. 1	8.75	4.63	2.43
From mines in price groups 6 and 7, and from (exceptions) mine index Nos. 11, 13, 21, 212, 1733, all in sub- district No. 1, and trucked from mines in price groups 1, 2, and 3, and from (exceptions) all mine index numbers excepted, all in subdis- trict No. 2	8.35	4.43	2.33
From mines in price group 9, and from (exceptions) mine index Nos. 56, 69, 2012, 2026, and 2027, all in subdistrict No. 1, and trucked from mines in price groups 4 and 5, and from (exceptions) mine index Nos. 2012, 2026, and 2027, all in subdis- trict No. 2	7.90	4.21	2.22
From mines in price groups 3 and 4 and from (exceptions) mine index Nos. 35, 53, and 63, all in subdistrict No. 1, and trucked from mines in price groups 6 and 7, in subdistrict No. 2	7.40	3.96	2.10
From mines in Price Group 1, in subdistrict No. 1	6.95	3.73	1.99
MINE RUN AND RESULTANTS OVER 3 INCHES (SIZE GROUPS 12, 14, 16, AND 18, WASHED)			
From mines in price groups 3, 4, 6, 7, 8, and 9, and from (exceptions) mine index Nos. 11, 56, 212, 13, 21, 69, 1492, 1733, 2012, 2026, and 2027, all in subdistrict No. 1, and trucked from mines in price groups 1 through 7, and from (exceptions) all mine index numbers excepted, and mine index Nos. 2012, 2026, and 2027, all in subdistrict No. 2	7.85	4.18	2.21

BITUMINOUS COAL FROM DISTRICT NO. 12—Con.

	Per ton 2,000 lbs.	Per 1/2 ton 1,000 lbs.	Per 1/4 ton 500 lbs.
MINE RUN AND RESULTANTS OVER 3 INCHES (SIZE GROUPS 12, 14, 16, AND 18, WASHED)—Con.			
From (exceptions) mine index Nos. 35, 63, and 63, in subdistrict No. 1	7.35	3.63	2.09
From mines in price group 1, in sub- district No. 1	7.05	3.73	2.09
MINE RUN AND RESULTANTS OVER 3 INCHES (SIZE GROUPS 13, 19, 23, AND 21, RAW)			
From mines in price group 8, and from (exceptions) mine index No. 1733, all in subdistrict No. 1, and trucked from (exceptions) mine index Nos. 3 and 4, in subdistrict No. 2	7.85	4.18	2.21
From mines in price groups 3, 4, 6, 7, 9, and from (exceptions) mine index Nos. 11, 13, 212, 13, 21, 69, 2012, 2026, and 2027, all in subdis- trict No. 1, and trucked from mines in price groups 1 through 7, and from (exceptions) mine index Nos. 7, 9, 11, 12, 1420, 18, 21, 6, 8, 17, 610, 1643, 22, 23, 1039, 1672, 2012, 2026, and 2027, all in subdistrict No. 2	7.60	4.03	2.15
From (exceptions) mine index Nos. 35 and 63, in subdistrict No. 1	7.20	3.89	2.05
From mines in price group 1, in subdistrict No. 1	6.90	3.71	1.97
RESULTANTS AND SCREENINGS 3 INCHES AND UNDER (SIZE GROUPS 17 AND 18, WASHED)			
From mines in price group 7, and from (exceptions) mine index Nos. 21, 1733, 2012, 2026, and 2027, all in subdistrict No. 1, and trucked from (exceptions) mine index Nos. 18, 21, 22, 23, 1039, 1672, in subdistrict No. 2	7.85	4.18	2.21
From mines in price groups 3, 4, 6, 8, 9, and from (exceptions) mine index Nos. 11, 56, 63, 212, 13, and 69, all in subdistrict No. 1, and trucked from mines in price groups 1 through 7, and from (exceptions) mine index Nos. 3, 4, 7, 9, 11, 13, 6, 8, 17, 610, 1643, 1420, 2012, 2026, and 2027, all in subdistrict No. 2	7.60	4.03	2.14
From (exceptions) mine index Nos. 35 and 63, in subdistrict No. 1	7.20	3.89	2.05
From mines in price group 1, in sub- district No. 1	6.90	3.73	1.99
RESULTANTS AND SCREENINGS 3 INCHES AND UNDER (SIZE GROUPS 22 AND 23, RAW)			
From mines in price group 7, and from (exceptions) mine index Nos. 21, 1733, 2012, 2026, and 2027, all in sub- district No. 1	7.60	4.03	2.15
From mines in price groups 3, 4, 6, 8, 9, and from (exceptions) mine index Nos. 11, 56, 212, 13, 63, 69, and 69, all in subdistrict No. 1, and trucked from mines in price groups 1 through 7, and from (exceptions) all mine index numbers excepted, and mine index Nos. 2012, 2026, and 2027, all in subdistrict No. 2	7.40	3.93	2.11
From mines in price group 1, in sub- district No. 1	6.90	3.71	1.97
COAL			
Store	8.60	4.30	2.43
Store-Nut	8.60	4.30	2.43
Nut	8.60	4.30	2.43
Nut-Chestnut	8.60	4.30	2.43
Chestnut	7.60	4.03	2.14

(2) Maximum authorized service charges and required deductions—(1) Yard sales. When a consumer picks up coal at the dealer's yard, the domestic price must be reduced at least \$1.00 per ton. When another dealer picks up coal at the dealer's yard, the domestic price must be reduced at least \$1.50 per ton, except that when another dealer picks up coal at Empire Coal Yards, the domestic price on Egg and Nut Coals must be reduced at least \$2.10 per ton and on

Resultants must be reduced at least \$2.40 per ton.

(ii) Treated coals. If a dealer's supplier has subjected the coal to oil, calcium chloride, or waxing treatment to allay dust or to prevent freezing and makes a charge therefor, the dealer selling such coal may add to the applicable maximum price set by this order the amount of such charge, not to exceed 15¢ per net ton. Any such treatment charge shall be stated separately from all other charges on the invoice.

(iii) Sacked coal. For coal sold in 100 pound sacks, the dealer may charge not more than 50¢ per sack, at the yard, plus 15¢ per sack if the dealer furnishes the sack, and not more than 60¢ per sack, delivered to the consumer at any point other than the dealer's yard, plus 15¢ per sack if the dealer furnishes the sack.

(iv) Quantity discounts. When a buyer purchases coal in quantities of twenty tons or more, but in less than carload quantities in a single delivery, and delivery is made in quantities of two tons or more, the dealer must reduce the domestic price at least 50¢ per ton. On carload sales to a single buyer, the dealer may not charge more than the maximum mine price plus actual transportation cost from the mine to the point at which the car is unloaded plus \$1.25 per ton.

(v) Carry or wheel service. If the buyer requests such service, the dealer may not charge more than 75¢ per ton therefor.

(vi) Taxes. The Alabama State Sales Tax may be added to the prices established by this order. The Transportation Tax of 4¢ per ton may also be added.

(vii) Delivery zone. The dealer may make no extra charge for delivery within the corporate limits of the city or township in which his yard is located or for delivery within five miles (measured by the most direct highway route) of the corporate limits of such city or town. For deliveries beyond the free delivery zone thus described, but within the area covered by this Order, the dealer may charge not more than 10¢ per ton per mile, and may impose a minimum charge of not more than 50¢ for such delivery.

(viii) Credit. No additional charges may be made for the extension of credit.

(d) Ex Parte 148 freight rate increase: transportation tax—(1) The freight rate increase. Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December, 1941; therefore, no dealer may increase any price specified herein on account of freight rates.

(2) The transportation tax. Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected, in addition to the maximum prices set by this order. It may be collected only if the dealer states such tax separately from the price of the coal on the invoice. (The tax need not be stated separately on sales to the United States or any agency thereof—see amendment 12 to Revised Maximum Price Regulation No. 122.) No part of this tax may be collected in addition to the maximum prices specified on sales of one-quarter

ton or lesser amounts of coal, or on sales of any quantity of bagged coal.

(e) *Addition of increases in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in his purchase cost or in his supplier's maximum prices occurring after the effective date hereof, but increases in the maximum prices set hereby, to reflect such increases are within the discretion of the Administrator or of the Regional Administrator of Region IV.

(f) *Power to amend or revoke.* This order, or any provision thereof, may be revoked, amended, or corrected at any time by the Administrator or by the Regional Administrator of Region IV.

(g) *Petitions for amendment.* Any person seeking an amendment of this order may file a petition for amendment with the Administrator in accordance with the provisions of Revised Procedural Regulation No. 1, or in the alternative, may file such petition with the Regional Administrator, Region IV, Office of Price Administration, Candler Building, Atlanta, 3, Georgia. If such petition is filed with the Regional Administrator, action thereon shall be taken by him. When such a petition is filed with the Regional Administrator, all requirements of Revised Procedural Regulation No. 1, relative to the filing of such petitions, are applicable except the place of filing specified therein.

(h) *Applicability of other regulations.*—(1) *Licensing and registration.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violations of the license or of one or more applicable price schedules, regulations, or orders. A seller whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(2) *Effect of this order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede the provisions of Revised Maximum Price Regulation No. 122.

(i) *Records and reports.* Every person making sales of solid fuels for which maximum prices are established by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. This record shall also separately state each service rendered and the charge made therefor.

(1) It is not necessary that these records or your maximum prices be filed with the War Price and Rationing Board.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this Order shall post all the maximum prices set hereby for all of his types of sales. He shall post his prices in his place of business in a manner plainly visible to, and understandable by, the purchasing public. He shall also keep a copy of this order available for examination

by any person inquiring as to his prices for solid fuels.

(2) Every dealer selling solid fuels for the sale of which a maximum price is set by this order shall, within 30 days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged, and separately stating any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size, and quantity of the solid fuel sold to him, or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provisions of this order are subject to the civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the nearest District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this order the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuels except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(i) "Direct delivery" of bagged fuel or of any fuel in one-quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to movement of fuel to the buyer's bin or storage space by wheel barrow, barrel, sack, or otherwise from the seller's truck or from the point of discharge there-

from when made in the course of "direct delivery".

(6) "Yard sales" means deliveries made by the dealer in his customary manner, at his yard, or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight, August 23, 1943.

(8) "Lump, egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule as promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(9) Except as otherwise provided herein, or except as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) This Order No. G-26 under Revised Maximum Price Regulation No. 122 incorporates substantially the same provisions as are found in Appendix XII to Order No. G-17 under Revised Maximum Price Regulation No. 122, which Appendix was added by Amendment No. 17 to said Order No. G-17, and amended by Amendment No. 27. As stated in the accompanying opinion, it has been necessary to change the prices applicable to coal from Mine Index Nos. 2012, 2026, and 2027. As of the effective date hereof, this Order G-26 supersedes said Appendix XII of Order No. G-17.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective October 5, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued October 14, 1944.

JAMES F. ARMSTRONG,
Acting Regional Administrator.

[F. R. Doc. 44-16423; Filed, Oct. 25, 1944; 12:15 p. m.]

[New Orleans Order 1 Under Restaurant MPR 2]

POSTING REQUIREMENTS IN NEW ORLEANS, LA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the New Orleans, Louisiana, District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. *Posting requirements.* If you own or operate an eating or drinking

establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order.

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each.

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to

all eating and drinking establishments located within the New Orleans, Louisiana, District of the Office of Price Administration, which is comprised of the following Parishes in the state of Louisiana: Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Plaquemines, Pointe Coupee, Rapides, St. Bernard, St. Charles, St. Helena, St. James, St. John, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermillion, Vernon, Washington, West Baton Rouge and West Feliciana.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

GILBERT J. FORTIER,
District Director.

APPENDIX A

List of 40 Basic Food Items and Meals

1. Orange juice.
2. Tomato juice.
3. Fruit cocktail.
4. Shrimp cocktail.
5. Gumbo.
6. Vegetable soup.
7. Dry cereal with milk or cream.
8. Two eggs, fried or scrambled.
9. Two eggs, with ham or bacon.
10. Fruit juice, toast, and coffee.
11. Fruit or cereal, 2 eggs or 1 egg with ham or bacon, toast, and coffee.
12. Seafood lunch (2 vegetables and drink).
13. Meat lunch (2 vegetables and drink).
14. Seafood dinner (4-course).
15. Chicken dinner (4-course).
16. Meat dinner (4-course).
17. Roast beef.
18. Chicken, fried.
19. Oysters, fried.
20. Meat balls and spaghetti.
21. Sirloin steak.
22. Ham sandwich.
23. American cheese sandwich.
24. Chicken salad sandwich.
25. Combination ham and cheese sandwich.
26. Hamburger sandwich.
27. Potato salad.
28. Combination fresh vegetable salad.
29. Shrimp salad.
30. Chicken salad.
31. Apple pie.
32. Ice cream.
33. Mashed potatoes.
34. String beans.
35. Green peas.
36. Coffee.
37. Milk, $\frac{1}{2}$ pint.
38. Coca-Cola.
39. Ice cream soda.
40. Malted milk.

[North Platte Order 1 Under Restaurant MFR 2]

POSTING REQUIREMENTS IN NORTH PLATTE, NEBR., DISTRICT

Pursuant to instructions of the Administration, Office of Price Administration, and under the authority vested in the District Director of the North Platte District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for the 40 food items, meals, and beverages set out as follows:

(a)

Appetizer

1. Tomato or fruit juice.
2. Fruit cocktail.

Soup

3. Today's soup.
4. Chili con carne.

Meat Entrees

5. T-bone steak.
6. Sirloin steak.
7. Tenderloin steak.
8. Roast beef.
9. Roast pork or ham.
10. Pork chop.
11. Hamburger steak.
12. Liver and bacon (or combination).
13. Corned beef hash or any meat hash.
14. Any meat stew.
15. Meat pies.
16. Chicken, fried.

Fish Entrees

17. Fried fish.
18. Oyster stew.

Egg Dishes

19. (Bacon or ham) and eggs.
20. Two eggs, any style.
21. Omelette.
22. Poached eggs on toast.

Meals

23. I. Club breakfast, fruit, toast, and coffee.
24. II. Club breakfast, fruit, or cereal, 2 eggs or 1 egg with ham, or bacon, toast, and coffee.

Miscellaneous

25. Hot cakes and syrup.
26. Baked spaghetti or macaroni.
27. Vegetable plate.
28. Dry cereal—hot cereals.

Sandwiches

29. Ham.
30. Ham and egg (or bacon and egg).
31. Lettuce and tomato.
32. Hamburger.
33. Hot meat sandwich with gravy.

Salads

34. Combination salad.
35. Fruit salad.

Desserts

36. Pie.
37. Ice cream.

Beverages

38. Coffee (cup).
39. Tea (cup).
40. Milk ($\frac{1}{2}$ pint).

(b) First list on the poster as many of the food items, meals and beverages

listed in section 1 (a) of this order, as you offer for sale and your ceiling prices for each.

(c) If you do not offer all the 40 items listed in section 1 (a), list first those which you do offer, placing them on the poster in the order in which they appear in section 1 (a). Then add as many other items which you usually offer as may be necessary to bring the total number to 40, with your ceiling prices for each item. The additional items selected should be those items not appearing in section 1 (a) that account for the largest percentage of your sales.

(d) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling prices for each.

(e) The list of individual items may be printed or hand-lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment or in a conspicuous place so that it will be plainly visible to your customers.

SEC. 2. Filing of lists of posted prices: When you have made up the list of food items, meals and beverages to be posted and your lawful ceiling prices for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your lists do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the North Platte District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of Order No. 1 under Restaurant

Maximum Price Regulation No. 2 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944.

CHARLES SMRHA,
District Director.

[F. R. Doc. 44-16419; Filed, Oct. 25, 1944;
12:14 p. m.]

[Region VI Order G-8 Under RMPR 122,
Amdt. 6]

COAL AND COKE IN MADISON, WIS.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, as amended, and for reasons stated in the opinion issued herewith, *It is ordered*, That paragraph (c) (2) and (c) (3) of Order No. G-8, as amended, be, and they are hereby, amended to read as follows:

(2) The prices provided for in the above schedule shall apply to all sales of all-rail coal and to the dock coal therein described which has been re-screened at the dock. The maximum prices for all sales by dealers for each size and kind of dock-run coal, except stoker size coal, shall be 50¢ per net ton lower than the maximum prices set forth in the above schedule for the same size and kind of coal which has been re-screened at the dock.

Paragraph (c) (3) is revoked.

Paragraph (c) (4) is redesignated (c) (3).

Paragraph (c) (5) is redesignated (c) (4).

This Amendment No. 6 to Order No. G-8 shall become effective October 20, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of October 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-16433; Filed, Oct. 24, 1944;
12:20 p. m.]

[Region VI Order G-16 Under RMPR 122,
Appendix 7]

SOLID FUELS IN BURLINGTON AND WEST BURLINGTON, IOWA

(a) **Applicability.** This Appendix No. 7 applies to sales of solid fuels delivered within the city limits of Burlington and West Burlington, Iowa.

(b) **Price schedule.** Immediately below and as a part of this section (b) is a price schedule that sets maximum prices for domestic delivered sales of dealers of specified kinds and sizes of solid fuels in lots of half-ton or more. Service charges and charges for treatment of coal are set forth in sections (c) and (d). Discounts for domestic at yard sales and

dealer at yard sales are set forth in subsection (e). Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) If less than 1 ton, Column (B) shall govern.

(ii) If more than 1 ton, Column (A) shall govern; e. g., if the price for 1 ton is listed in Column (A) as \$12.80, and that for ½ ton is listed in Column (B) as \$6.65, the price for 1½ tons shall be \$19.20.

PRICE SCHEDULE

	(A) (B)	
	Domestic delivered price	
	1 ton	½ ton
I. Low volatile bituminous coal from District No. 7 (Southern W. Virginia and Virginia):		
1. Egg—Price Classification A.....	\$12.80	\$6.65
2. Pea or Dedusted Screenings—top size not exceeding ¾", bottom size smaller than ¾"; Price Classification A.....	10.00	5.60
II. High volatile bituminous coal from District No. 8 (Eastern Kentucky, Northern Tennessee, parts of Virginia and West Virginia):		
1. Lump and egg—Size Groups 1, 2 and 3; all lump and egg coals—bottom size larger than 2". Price Classification A.....	11.10	5.85
2. Lump—Size Group 1; all lump coals—bottom size larger than 6"; Southern Appalachian Field; Price Classification E.....	11.00	5.60
3. Lump—Size Group 2; all lump coals—bottom size larger than 3" but not exceeding 6". Price Classification E through K.....	11.00	5.76
III. High volatile bituminous coal from District No. 9 (Western Kentucky):		
A. No. 6 Seam:		
1. Lump and egg—Size Groups 1-6; all lump and egg coals; raw washed or air cleaned; top size larger than 2".....	8.20	4.35
2. Stoker—Size Groups 8-12; all raw double screened nut, stoker, and pea coals; top size not exceeding 2" and bottom size larger than 10 mesh.....	7.80	4.16
B. No. 9 Seam:		
1. Lump and Egg—Size Groups 1-6; all lump and egg coals, raw washed or air cleaned; top size larger than 2".....	7.65	4.05
C. No. 14 Seam:		
1. Lump and Egg—Size Groups 1-6; all lump and egg coals, raw, washed or air cleaned; top size larger than 2".....	7.25	3.90
2. Washed Screenings—Size Groups 23 and 24; all washed or air cleaned screenings; larger than ¾" x 0 but not exceeding 2" x 0.....	6.65	3.55
IV. High volatile bituminous coal from District No. 10 (Illinois):		
A. Southern Sub-District, Price Groups 1, 2 and 8:		
1. Lump and Egg—Size Groups 1, 2 & 3; all lump or egg coals—bottom size larger than 2". Washed or raw.....	7.90	4.20
2. Egg & Nut—Size Groups 4, 5, 6, and 8; including 4" x 2", 3" x 2" and 2" x 1¼".....	7.05	4.10
3. Prepared Stoker—Size Groups 21, 22, and 23; all stoker coals—bottom size larger than 28 mesh; top size not exceeding 2".....	7.40	3.95
4. Washed and Dedusted Screenings—Size Groups 23, 24, 26 and 27; all washed, air cleaned and dry dedusted screenings; top size not exceeding 2".....	7.00	3.76
B. Belleville Sub-District, Price Groups 10-22 inclusive		
1. Lump and Egg—Size Groups 1, 2, and 3; all lump or egg coals; bottom size larger than 2"; washed or raw.....	7.20	3.85
2. Washed Nut and Pea—Size Groups 17-20, inc.; washed or air cleaned nut and pea coals—bottom size larger than 1 millimeter; top size not exceeding 2".....	6.65	3.55

PRICE SCHEDULE—Continued

	(A) (B)	
	Domestic delivered price	
	1 ton	½ ton
IV. High volatile bituminous coal from District No. 10 (Illinois)—Con.		
C. Duquoin Sub-District, Price Group No. 10		
1. Lump and Egg—Size Groups 1, 2, and 3; all lump or egg coals; bottom size larger than 2"; washed or raw	\$7.00	\$3.75
2. Nut Coal—Size Group No. 10, including 1½" x 3½"	6.25	3.40
3. Nut Coal—Size Group No. 12, including 3½" x 5½"	6.50	3.65
D. Central Sub-District, Price Groups 12 and 13		
1. Lump—Size Group 1; bottom size larger than 4"	7.00	3.75
2. Egg—Size Group 3, including 6" x 3"	6.50	3.50
E. Fulton-Peoria Sub-District		
1. Lump and Egg—Size Groups 1, 2, and 3; all lump and egg coals—bottom size larger than 2"; washed or raw; Price Groups 24, 25 and 26	6.50	3.35
2. Lump and Egg—Size Groups 1, 2 and 3; all lump and egg coals—bottom size larger than 2"; washed or raw; Price Groups 27 and 28	6.40	3.45
V. High Volatile Bituminous Coals from District No. 11 (Indiana)		
1. Lump and Egg—Size Groups 1, 2, and 3; all lump and egg coals—bottom size larger than 2"; washed or raw; Price Groups 6, 14, 15 and 16	8.40	4.45
2. Nut—Size Group No. 5, including 3" x 2"; Price Group 6	7.55	4.20
3. Stoker—Size Groups 9-12; raw nut or pea coals—bottom size larger than 10 mesh; top size not exceeding 2"; Price Group 6	7.70	4.10
VI. Anthracite:		
1. Egg, Stove and Nut	18.10	9.30

(c) *Service charges.* Immediately below and as a part of this section (c) is a schedule of charges that sets forth prices which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated in the dealer's invoice.

SCHEDULE OF SERVICE CHARGES

Trimming	\$0.50 per hour.
Carrying from curb	\$0.50 per ton.
Carrying up or down stairs	\$1.00 per ton.

(d) *Charge for treatment of coal.* Whenever any dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine he may add to the applicable maximum price set by this Appendix No. 7 a treatment charge not in excess of 10¢ per ton. When a treatment charge is made pursuant to this section, the dealer's invoice shall clearly indicate that the fuel that is the subject of the sale has been dust treated and that a charge is being made therefor.

(e) *Discount for yard sales.* The maximum prices for yard sales shall be the prices set forth in section (b) less the following discounts:

	Per ton
Sales to other dealers	\$1.00
Sales to domestic consumers	.60

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

This Appendix No. 7 to Order No. G-16 shall be effective immediately.

Issued this 25th day of October 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-16434; Filed, Oct. 25, 1944; 12:20 p. m.]

[Boise Special Order 1 Under Restaurant MPR 7-1, Gen. Order 50, and Rev. Delegation Order 15, Amdt. 5]

MALT BEVERAGES IN BOISE, IDAHO

An opinion accompanying this amendment has been issued simultaneously herewith.

Pursuant to the Emergency Price Control Act of 1942, as Amended, the Stabilization Act of 1942, as Amended, 2nd Revised Restaurant MPR 7-1 and Region VII Revised Delegation Order No. 15, as modified by section 25 (c) of Restaurant MPR 2, *It is hereby ordered*, That the above described order is amended in the following respects:

Section 3 (a) is amended by two additions and one deletion under the subtitle, "Brand or Trade Name", and "ounce" content as follows:

ADDITION

(a) *Bottled malt beverages*

Brand or Trade Name	11 and 12 ounce	32 ounce
Ballantine's XXX Ale	\$0.21	\$0.42
Pioneer	.16	.37

(b) *DELETION*

Hartz	\$0.10	\$0.37
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Right to revoke, amend, modify or correct. This Amendment No. 5 to Special Order No. 1, as amended, may be revoked, amended, modified or corrected by the Price Administrator, Regional Administrator or District Director at any time.

This Amendment No. 5 to Special Order No. 1, as amended, shall become effective October 7th, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; sec. 25 (c) Restaurant MPR 2)

Issued this 7th day of October 1944.

C. C. ANDERSON,
District Director.

[F. R. Doc. 44-16432; Filed, Oct. 25, 1944; 12:19 p. m.]

[Region VIII Order G-13 Under RMPR 333]
LIGHT DIRTY EGGS IN CALIFORNIA, WASHINGTON, AND OREGON

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 3.3 (e) of Revised Maximum Price Regulation No. 333, *It is hereby ordered*:

(a) The maximum price at which light dirty eggs, as defined in the United States Department of Agriculture "Specifications for Official U. S. Standards for Quality of Individual Shell Eggs", may be sold in California, Oregon (except Malheur County), and Cowlitz County in Washington, shall be 1¢ per dozen less than the maximum price for the corresponding size of consumer Grade A eggs, provided such light dirty eggs are sold in sealed cartons, or other sealed containers bearing upon the seal the certificate of the United States Department of Agriculture certifying that the eggs are of an inferior quality of consumer Grade A or better.

(b) On and after the effective date of this order No. G-13, light dirty eggs as defined in Revised Maximum Price Regulation No. 333 shall be a consumer grade of eggs in California, Oregon (except Malheur County), and Cowlitz County in Washington.

(c) This order may be revoked, amended, or corrected at any time.

This order shall become effective on October 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-16420; Filed, Oct. 25, 1944; 12:14 p. m.]

[Region VIII Order G-1 Under MPR 225]

PRINTING AND PRINTED PAPER COMMODITIES IN SAN FRANCISCO REGION

NOTE: A correction to the statement of considerations, which was issued with respect to Region VIII Order G-1 under MPR 225, was filed with the Division of the Federal Register as F. R. Doc. 44-16421 on October 25, 1944 at 12:14 p. m.

[Region VIII Order G-104 Under 18 (c)]

FRESH GREEN BONES IN NORTHERN CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1499.18 (c) of the General Maximum Price Regulation: *It is hereby ordered*:

(a) The adjusted maximum price for sales of fresh green bones by a boner, except as individual retail store, located in northern California, f. o. b. boner's place of business, shall be \$35 per ton.

(b) The adjusted maximum price for sales of fresh green bones by renderers located in northern California, f. o. b. renderer's plant, shall be \$45 per ton.

(c) *Definitions.* (1) "Fresh green bones" means fresh, uncooked bones derived from the boning of carcasses and wholesale cuts of fresh beef, veal, lamb, mutton, or pork.

(2) "Renderer" means any person who purchases or receives fresh green bones

and produces tallow, grease, tankage, or bone meal.

(3) "Boner" means any person other than an individual retail store who produces fresh green bones as a result of boning meat.

(4) "Northern California" means that portion of the State of California lying north of the Counties of San Luis Obispo, Kern, and San Bernardino.

(d) This order may be revoked, amend, or corrected at any time.

This order shall become effective the 22d day of October, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of October 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-16435; Filed, Oct. 25, 1944;
12:21 p. m.]

[Toledo Order 1 Under Restaurant MPR 2] POSTING REQUIREMENTS IN TOLEDO, OHIO

Pursuant to instructions of the Administrator, Office of Price Administration, and under the authority vested in the District Director of the Toledo District Office of the Office of Price Administration by section 16 of Restaurant Maximum Price Regulation No. 2, it is hereby ordered:

SECTION 1. Posting requirements. If you own or operate an eating or drinking establishment, you must, on or before August 16, 1944, show on a poster to be supplied by the Office of Price Administration, your lawful ceiling prices for 40 food items, and meals, as set forth in this order. (See Appendix A.)

(a) First list on the poster as many of the food items and meals listed in Appendix A of this order, as you offer for sale and your ceiling prices for each. If you find in Appendix A several tables of food items and meals, choose the table most applicable to your establishment.

(b) If you do not offer all the 40 items listed in the applicable table in Appendix A, list first those which you do offer, placing them on the poster in the order in which they appear in Appendix A. Then add as many other items which you usually offer to bring the total number to 40, with your ceiling price for each item.

(c) If you do not offer as many as 40 items, place on the poster all the items which you do offer and your ceiling price for each:

(d) List a la carte items first. In listing meals, list the entree and then indicate the type of meal, for example, steak dinner, leg of lamb dinner, filet of sole lunch, vegetable plate luncheon.

(e) The list of individual items may be printed or hand lettered in ink on the poster in letters large enough so that it can be easily read by your customers.

(f) You must place the poster near the main entrance of your establishment, or in a conspicuous place so, that

it will be plainly visible to your customers.

SEC. 2. Filing of list of posted prices. When you have made up the list of food items and meals to be posted and your lawful ceiling price for each, you must make three copies of this list, and send or deliver it to your local War Price and Rationing Board on or before August 21, 1944. Each copy must be clear and legible, dated and signed by the owner or manager of your establishment, with the name and address of the establishment following the signature.

The War Price and Rationing Board shall check this list with your filed ceiling prices. If the prices check, the Board shall make a notation to this effect on one copy of the list and return it to you. You shall keep this copy in your establishment, and make it available for examination by any person during business hours.

If the prices on your list do not completely check with your filed ceiling prices, the Board will call you in for a conference, so that corrections can be made.

SEC. 3. Replacement of posters. If a poster is mutilated or becomes badly soiled or otherwise damaged, it must be replaced by a new one which may be obtained from your War Price and Rationing Board upon presentation of the damaged poster. Erasures or changes of prices listed on the poster are prohibited. The new poster must be filled out exactly like the old one. Large establishments may receive extra posters.

SEC. 4. Geographical applicability. The provisions of this order extend to all eating and drinking establishments located within the Toledo District of the Office of Price Administration.

SEC. 5. Exemptions. All establishments which are exempted from the provisions of Restaurant Maximum Price Regulation No. 2 are exempted from this order.

This order shall become effective August 9, 1944.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of August 1944 at Toledo, Ohio.

H. G. BOGART,
District Director.

APPENDIX A

TABLE 1

Tomato juice.	Roast beef (designate kind).
Orange juice.	Hamburger.
Dry cereal with milk and cream.	Pork chops.
Eggs.	Baked ham.
Ham and eggs or bacon and eggs.	Beef stew.
Doughnuts.	Chicken (designate kind).
Toast.	Veal (designate kind).
Soup.	Pickrel.
Steak (designate kind).	White fish.

Lamb chops.
Spaghetti (with or without meat balls).
Baked beans.
Mashed potatoes.
Green beans.
Peas.
Stewed tomatoes.
Carrots.
Beets.
Head lettuce.
Cabbage salad.

Vegetable salad bowl.
Apple pie.
Cake.
Ice cream.
Jello.
Baked ham sandwich.
Hamburger sandwich.
Coffee.
Milk.
Tea.

TABLE 2

1. Soup.	8. Chinese mixed vegetables.
2. Fried noodles.	9. Chop suey.
3. Fried rice.	10. Chow mein.
4. Egg foo young.	11. Chinese dinner (five course).
5. Bean cake.	12. (On to 40 items.)
6. Egg roll.	
7. Shrimp in lobster sauce.	

TABLE 3

1. Soup.	9. Coffee.
2. Antipasto.	10. Spaghetti and meat ball (4 course) luncheon.
3. Pizza.	11. Chicken and spaghetti (8 course) dinner.
4. Italian salad.	12. (On to 40 items.)
5. Veal scallopini.	
6. Spaghetti and meat sauce.	
7. Spaghetti and meat balls.	
8. Spumoni.	

TABLE 4

1. Clam chowder.	8. Broiled lobster, medium.
2. Crabmeat cocktail.	9. Broiled lobster, large.
3. Oysters (6) on half shell.	10. Hard shelled crab (whole).
4. Clams (6) on half shell.	11. Sea food (five course) dinner.
5. Lobster salad.	12. (On to 40 items.)
6. Combination sea food salad.	
7. Broiled lobster, small.	

[F. R. Doc. 44-16486; Filed, Oct. 25, 1944;
4:51 p. m.]

[Jacksonville Order G-2 Under MPR 426, Revocation]

ICEBERG LETTUCE IN JACKSONVILLE, FLA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Jacksonville District Office of the Office of Price Administration by section 2 (b) of Maximum Price Regulation No. 426, as amended, and Regional Delegation Order No. 16, issued by the Administrator of Region IV of the Office of Price Administration, *It is hereby ordered*, That Order No. G-2 under section 2 (b) of Maximum Price Regulation No. 426, as amended, issued October 13, 1943, by the District Director of the Jacksonville District Office be, and it hereby is, revoked, subject to the provisions of Supplementary Order No. 40, effective April 2, 1943, 8 F.R. 4325.

This order shall become effective August 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871,

E.O. 9328, 8 F.R. 4681, R.G.O. 51, 9 F.R. 408)

Issued August 23 1944.

C. W. BUTLER,
District Director.

Approved:

JAMES H. PALMER,
Regional Director,
Office of Distribution,
War Food Administration.

[F. R. Doc. 44-16465; Filed, Oct. 25, 1944;
4:49 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on October 23, 1944.

REGION II

Baltimore Order 7-F, Amendment 1, covering fresh fruits and vegetables in designated areas in Maryland, filed 10:03 a. m.

Camden Order P-1, Amendment 6, covering fresh fish and seafood in Camden, filed 9:27 a. m.

Camden Order P-2, Amendment 1, covering fresh fish and seafood in Camden, filed 9:28 a. m.

Camden Order 15, Amendment 3, covering groceries in Camden, filed 9:27 a. m.

Camden Order 16, Amendment 3, covering groceries in Camden, filed 9:27 a. m.

Erie Order 14-F, Amendment 6, covering fresh fruits and vegetables in Erie, Pa., filed 9:30 a. m.

Erie Order 14-F, Amendment 7, covering fresh fruits and vegetables in Erie, Pa., filed 10:06 a. m.

Erie Order 15-A, covering dry groceries in designated counties in Pennsylvania, filed 10:07 a. m.

Pittsburgh Order 1-F, Amendment 28, covering fresh fruits and vegetables in designated counties in Pennsylvania, filed 9:30 a. m.

Williamsport Order P-1, Amendment 1, covering fresh fish and seafood in Lycoming County, Pa., filed 10:34 a. m.

REGION III

Charleston Order 1-B, Amendment 1, covering community food prices in Charleston, W. Va., filed 10:32 a. m.

Charleston Orders 1A and 1-W, Amendment 1, covering dry groceries in designated counties in West Virginia, filed 10:29 a. m.

Charleston Order 1, Amendment 1, covering dry groceries in designated counties in West Virginia, filed 10:07 a. m.

Charleston Order 2, Amendment 1, covering dry groceries in designated counties in West Virginia, filed 10:25 a. m.

Charleston Order 4, Amendment 1, covering dry groceries in designated counties in West Virginia, filed 10:25 a. m.

Charleston Orders 4-A and 4-W, Amendment 1, covering dry groceries in designated counties in West Virginia, filed 10:29 a. m.

Charleston Order 5, Amendment 1, covering dry groceries in designated counties in West Virginia, filed 10:25 a. m.

Charleston Orders 5-A and 5-W, Amendment 1, covering dry groceries in certain counties in West Virginia, filed 10:30 a. m.

Charleston Order 6, Amendment 1, covering dry groceries in designated counties in West Virginia, filed 10:26 a. m.

Charleston Orders 6-A and 6-W, Amendment 1, covering dry groceries in certain counties in West Virginia, filed 10:30 a. m.

Charleston Order 7, Amendment 1, covering dry groceries in designated counties in West Virginia, filed 10:26 a. m.

Charleston Orders 8-A and 8-W, Amendment 1, covering dry groceries in certain counties in West Virginia, filed 10:31 a. m.

Charleston Orders 7-A and 7-W, Amendment 1, covering dry groceries in certain counties in West Virginia, filed 10:30 a. m.

Charleston Order 8, Amendment 1, covering dry groceries in certain counties in West Virginia, filed 10:26 a. m.

Charleston Order 9, Amendment 1, covering dry groceries in designated counties in West Virginia, filed 10:26 a. m.

Charleston Orders 9-A and 9-W, Amendment 1, covering dry groceries in certain counties in West Virginia, filed 10:31 a. m.

Charleston Order 3, Amendment 2, covering dry groceries in designated counties in West Virginia, filed 10:25 a. m.

Charleston Orders 3-A and 3-W, Amendment 2, covering dry groceries in certain counties in West Virginia, filed 10:29 a. m.

Charleston Order 10, Amendment 4, covering community food prices in the state of West Virginia, filed 10:26 a. m.

Charleston Order 10, Amendment 5, covering community food prices in the state of West Virginia, filed 10:26 a. m.

Cincinnati Order 1-F, Amendment 53, covering fresh fruits and vegetables in Hamilton County, Ohio, filed 10:03 a. m.

Cincinnati Order 2-F, Amendment 46, covering fresh fruits and vegetables in designated counties in Ohio, filed 10:07 a. m.

Louisville Order 1-B, Amendment 1, covering community food prices in Louisville, Ky., filed 10:04 a. m.

Louisville Order 3-B, Amendment 1, covering community food prices in Louisville, Ky., filed 10:04 a. m.

Louisville Order 1-F, Amendment 5, covering community food prices in designated counties in Kentucky, filed 10:04 a. m.

Columbus Order 3-F, Amendment 45, covering fresh fruits and vegetables in Columbus and Franklin Counties, Ohio, filed 9:32 a. m.

REGION IV

Jacksonville Order 8-F, covering fresh fruits and vegetables in certain specified areas in Florida, filed 9:30 a. m.

Jacksonville Order 9-F, Amendment 1, covering fresh fruits and vegetables in the Jacksonville, Fla., area, filed 9:32 a. m.

Jacksonville Order 9-F, covering fresh fruits and vegetables in the area of Jacksonville, Fla., filed 9:31 a. m.

Jacksonville Order 10-F, covering fresh fruits and vegetables in the area of Miami, Fla., filed 9:31 a. m.

Jacksonville Order 11-F, covering fresh fruits and vegetables in specified areas in the State of Florida, filed 9:32 a. m.

Jacksonville Order 12-F, covering fresh fruits and vegetables in certain specified areas in the State of Florida, filed 10:34 a. m.

Jackson Order 5-F, covering fresh fruits and vegetables in certain specified counties in the Jackson, Miss., area, filed 10:33 a. m.

Savannah Order 8-F, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 10:32 a. m.

Savannah Order 9-F, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 10:33 a. m.

Savannah Order 10-F, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 10:33 a. m.

Savannah Order 11-F, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 10:33 a. m.

REGION V

St. Louis Order 2-F, Amendment 11, covering community food prices in St. Louis, Mo., filed 10:04 a. m.

St. Louis Order 3-F, Amendment 16, covering community food prices in St. Louis, Mo., filed 10:34 a. m.

St. Louis Order G-17, Amendment 9, covering community food prices in St. Louis, Mo., filed 10:03 a. m.

St. Louis Order G-19, Amendment 10, covering community food prices in St. Louis, Mo., filed 10:03 a. m.

REGION VI

Omaha Order 7-F, Amendment 14, covering fresh fruits and vegetables in the corporation limits of Omaha, Nebr., and Council Bluffs, Iowa, filed 10:03 a. m.

Omaha Order 7-F, Amendment 15, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa, filed 10:05 a. m.

Omaha Order 7-F, Amendment 16, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa, filed 10:05 a. m.

Omaha Order 8-F, Amendment 14, covering fresh fruits and vegetables in the city of Lincoln, Nebr., filed 10:05 a. m.

Omaha Order 8-F, Amendment 15, covering fresh fruits and vegetables in the city of Lincoln, Nebr., filed 10:08 a. m.

Omaha Order 8-F, Amendment 16, covering fresh fruits and vegetables in the city of Lincoln, Nebr., filed 10:08 a. m.

Omaha Order 8-F, Amendment 17, covering fresh fruits and vegetables in the city of Lincoln, Nebr., filed 10:08 a. m.

Omaha Order 9-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Nebraska, filed 10:08 a. m.

Omaha Order 9-F, Amendment 5, covering fresh fruits and vegetables in certain Nebraska and Iowa counties, filed 9:24 a. m.

REGION VIII

Spokane Order 1-F, Amendment 30, covering fresh fruits and vegetables in certain counties of Washington, filed 9:25 a. m.

Spokane Order 2-F, Amendment 27, covering fresh fruits and vegetables in certain areas of Kootenai County, Idaho, filed 9:25 a. m.

Spokane Order 3-F, Amendment 6, covering fresh fruits and vegetables in certain areas of Shoshone and Kootenai Counties, Idaho, filed 9:25 a. m.

Spokane Order 4-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Washington, filed 9:25 a. m.

Spokane Order 5-F, Amendment 10, covering fresh fruits and vegetables in certain areas of Acotin County, Wash. and Nez Perce, Idaho, filed 9:26 a. m.

Spokane Order 6-F, Amendment 11, covering fresh fruits and vegetables in Columbia and Walla Walla Counties, Wash., filed 9:26 a. m.

Spokane Order 7-F, Amendment 4, covering fresh fruits and vegetables in Benton and Franklin Counties, Wash., filed 9:26 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-16403; Filed, Oct. 25, 1944;
11:27 a. m.]

[Region VIII Order G-12 Under MPR 333,
Revocation]

LIGHT DIRTY EGGS IN SAN FRANCISCO REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 3.3 (e) of Revised Maximum Price Regulation No. 333, and under the authority reserved in par-

agraph (b) of Order No. G-12 under Maximum Price Regulation No. 333, said Order No. G-12 is hereby revoked.

This order shall become effective October 29, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-16490; Filed, Oct. 28, 1944;
11:52 a. m.]

WAR FOOD ADMINISTRATION.

MILK IN LOUISVILLE, KY., MARKETING AREA

NOTICE OF REPORT AND OPPORTUNITY TO FILE EXCEPTIONS TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER

Pursuant to § 900.12 (a) of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp., 900.1 et seq.), notice is hereby given of the filing with the Hearing Clerk of this report of the Director of Distribution with respect to a marketing agreement and to an amended order regulating the handling of milk in the Louisville, Kentucky, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, United States Department of Agriculture, Washington, D. C., not later than the close of business of the 10th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceeding was initiated by the Office of Distribution as a result of a written petition filed by the Falls Cities Cooperative Milk Producers Association for a public hearing to receive evidence on several proposed amendments to Order No. 46. It was concluded from consideration of various proposals that a hearing should be held. Accordingly, a notice of hearing was issued on August 18, 1944, and the hearing was held at Louisville, Kentucky, on August 24 and 25, 1944. The hearing notice included also several proposals prepared by the Louisville Milk Distributors' Association, Fenley's Model Dairy, Salem Creamery, Rolling Green Dairy, and the Dairy and Poultry Branch, Office of Distribution. The major issues developed at the hearing were concerned with (1) the handling of emergency milk in the procedures for classifying milk, (2) the levels of the Class I and Class II prices and the elimination of seasonal differentials in the formulas for computing such prices, (3) the formula and alternate formula for arriving at the Class III price, (4) a new classification and price for producer milk used as butter, (5) a modification of the method of distributing the "withholding" price differential, (6) the reclassification of milk drinks and buttermilk from Class I to Class II milk, (7) the reclassification of cottage cheese from Class II to Class III milk,

(8) the redefinition of the marketing area, (9) a change in the application of the administrative assessment, and (10) several changes of an administrative nature.

With respect to these issues it is concluded that:

(1) The method of handling emergency milk in the procedures for classifying milk should be revised;

(2) The Class I and Class II prices should not be reduced; the seasonal differentials reflected in the formulas for computing such prices should be eliminated;

(3) The formula and alternate formula for computing the Class III price should be revised;

(4) A separate price for producer milk utilized as butter should be applicable under certain conditions and in a limited amount;

(5) The method of distributing the "withholding" price differential should be revised;

(6) Milk drinks and buttermilk should not be reclassified from Class I to Class II milk;

(7) Cottage cheese should be reclassified from Class II to Class III milk;

(8) The marketing area should be redefined;

(9) The application of the administrative assessment should not be changed; and

(10) Several changes of an administrative nature should be made.

The following provisions of a proposed amended order and a proposed marketing agreement are recommended as the detailed means for carrying out the conclusions stated hereinabove. Sections 946.14 and 946.15 as set forth below apply to the proposed marketing agreement only. The remaining provisions are applicable to both the proposed order and proposed marketing agreement.

Findings. It is found upon the evidence introduced at the public hearing held at Louisville, Kentucky, on August 24 and 25, 1944, said findings being in addition to the findings made upon the evidence introduced at the original public hearing on the said order, and in addition to the other findings made prior to or at the time of the original issuance of the said order and of the issuance of its amendments (all of which findings are hereby ratified and affirmed, save only as such findings are in conflict with the findings hereinafter set forth):

1. That prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c), are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth herein are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels

which are declared in the act to be the policy of Congress to establish;

2. That the order regulates the handling of milk in the same manner as, and is applicable only to handlers defined in, a marketing agreement upon which a hearing has been held; and

3. That the issuance of this order and all of its terms and conditions, will tend to effectuate the declared policy of the act.

§ 946.1 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator of the United States.

(c) "Louisville, Kentucky, marketing area", hereinafter called the "marketing area", means the territory within Jefferson County, Kentucky, including but not being limited to the city of Louisville, and Fort Knox Military Reservation; and the territory within Floyd County, Indiana, including but not being limited to all municipal corporations in said county; and the territory within the townships of Jeffersonville, Utica, Silver Creek, Union, and Charlestown, in Clark County, Indiana.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether any such person is also a handler, who produces, under a dairy farm inspection permit issued by the proper health authorities, milk which is received at a plant from which milk is disposed of in the marketing area. This definition shall be deemed to include any person who produces under a dairy farm inspection permit issued by the proper health authorities, milk caused to be delivered by a cooperative association which is a handler to a plant from which no milk is disposed of in the marketing area.

(f) "Handler" means any person who, on his own behalf or on behalf of others, receives milk from producers, associations of producers, or other handlers, all, or a portion, of which milk is disposed of as milk in the marketing area, and who, on his own behalf or on behalf of others, engages in such handling of milk as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects interstate or foreign commerce in milk and its products. This definition shall be deemed to include any cooperative association with respect to the milk of any producer which it causes to be delivered to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association: *Provided*, That such milk is handled on a basis which will permit the market administrator to verify the utilization of such milk in the

plant at which such milk is received. This definition shall not be deemed to include any person from whom emergency milk is received.

(g) "Market administrator" means the person designated pursuant to § 946.2 as the agency for the administration hereof.

(h) "Delivery period" means any calendar month.

(i) "Emergency milk" means milk, skim milk or cream received by a handler from sources other than producers under a permit for the receipt thereof issued to him by the proper health authorities.

§ 946.2 *Market administrator—(a) Selection, removal, and salary.* The agency for the administration hereof shall be a market administrator who shall be a person selected, and subject to removal, by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by the War Food Administrator.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Receive, investigate, and report to the War Food Administrator complaints of violation of the terms and provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Keep such books and records as will clearly reflect the transactions provided for herein and shall surrender the same to his successor or to such other person as the War Food Administrator may designate;

(2) Submit his books and records to examination and furnish such information and such verified reports as may be requested by the War Food Administrator;

(3) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 946.5 or (ii) made payments pursuant to § 946.8;

(5) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(6) Pay, out of the funds provided by § 946.10, the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and in the performance of his duties, except those expenses incurred under § 946.9 hereof; and

(7) Promptly verify the information contained in the reports submitted by handlers.

§ 946.3 *Classification of milk—(a) Basis of classification.* Milk of a producer caused to be delivered by a co-operative association which is a handler to a plant from which no milk is disposed of in the marketing area and all milk, skim milk, and cream received by each handler, including emergency milk and any milk produced by him, at plants from which milk is disposed of in the marketing area, shall be classified by the market administrator in the classes set forth in (b) of this section, subject to the provisions of (c), (d), (e), and (f) of this section. In the classification as required in (b) of this section, the burden rests upon the first handler to account for his receipts and to prove that such receipts should not be classified in the class in which placed by the market administrator.

(b) *Classes of utilization.* The classes of utilization shall be as follows:

(1) Class I milk shall be all milk and skim milk disposed of as milk, buttermilk, and milk drinks, whether plain or flavored, and all milk not specifically accounted for as Class II milk and Class III milk.

(2) Class II milk shall be all milk, skim milk, and cream disposed of as cream (for consumption as cream), including any cream product disposed of in fluid form which contains less than the minimum butterfat content required for fluid cream.

(3) Class III milk shall be all milk, skim milk, and cream accounted for (i) as used to produce a product other than those specified in Class I milk and Class II milk, and (ii) as actual plant shrinkage, but not to exceed 2 percent of the total receipts of butterfat, not including butterfat received from other handlers: *Provided*, That (a) if milk, including emergency milk, from sources other than producers or other handlers is received in the handler's fluid milk plant, the shrinkage allocated to milk from producers shall not exceed its pro rata share of all shrinkage in the plant computed percentage-wise on the basis of the proportions of the volume of milk received from each source to their total, and (b) if milk from producers is transferred as milk, skim milk, or cream, under supporting transfer records satisfactory to the market administrator, to a plant of a handler from which no milk is disposed of in the marketing area, the shrinkage on the aforesaid transferred portion shall be computed on a pro rata basis with all milk, skim milk, and cream utilized in the latter plant and added to the shrinkage on producers' milk handled in the handler's fluid milk plant.

(c) *Interhandler and nonhandler transfers.* (1) Milk and skim milk disposed of by a handler to another handler or to a person who is not a handler but who distributes milk or manufactures milk products shall be Class I milk, and cream so disposed of shall be Class II milk: *Provided*, That if the selling handler and the purchaser, on or before the 5th day after the end of the delivery period, each furnish to the market administrator similar signed statements that such milk, skim milk, or cream was

disposed of in another class, such milk, skim milk, or cream shall be classified accordingly, subject to verification by the market administrator.

(2) Milk and skim milk disposed of from a handler's plant to soda fountains, bakeries, restaurants, and other retail food establishments which dispose of milk for both fluid and other uses shall be Class I milk.

(3) Cream disposed of from a handler's plant to soda fountains, bakeries, restaurants, and other retail food establishments which dispose of cream for both fluid and other uses shall be Class II milk: *Provided*, That cream disposed of in bulk from a handler's plant to any such establishment which, under the applicable health regulations, is permitted to receive cream other than of Grade A quality for non-fluid purposes shall be classified according to its ultimate use or disposition by such establishment, subject to verification by the market administrator.

(d) *Computation of class volumes.* For each delivery period the market administrator shall correct for mathematical and for other obvious errors the report submitted by each handler and compute from the corrected report the amount of Class I milk, Class II milk, and Class III milk, as follows:

(1) Determine (i) the total pounds of milk received from producers (including the handler's own production), and (ii) the total pounds of milk, skim milk, and other milk products received from other handlers, received as emergency milk, and received from other sources; add together the resulting amounts.

(2) Determine the total pounds of butterfat received by multiplying by its respective average butterfat test the milk, skim milk, and other milk products determined under (1) of this paragraph; add together the resulting amounts.

(3) Determine the total pounds of Class I milk as follows: (i) convert to quarts the quantity of milk and skim milk disposed of in the form of milk, buttermilk, and milk drinks, whether plain or flavored, and multiply by 2.15; (ii) multiply the result by the average butterfat test thereof; and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk and Class III milk computed pursuant to (4) (ii) and (5) (ii) of this paragraph is less than the total pounds of butterfat received, computed in accordance with (2) of this paragraph, the butterfat shrinkage on milk from producers which exceeds 2 percent shall be divided by 4 percent and added to the quantity determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of Class II milk as follows: (i) Multiply the actual weight of each of the products of Class II milk by its average butterfat test, (ii) add together the resulting amounts, and (iii) divide the result obtained in (ii) of this subparagraph by 4 percent.

(5) Determine the total pounds of Class III milk as follows: (i) Multiply the actual weight of each of the several

products of Class III milk by its average butterfat test; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat in Class I milk and Class II milk, computed pursuant to (3) (ii) and (4) (ii) of this paragraph and the total pounds of butterfat computed pursuant to (i) of this subparagraph, from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 2 percent of the total receipts of butterfat by the handler, not including butterfat received from other handlers) and shall be added to the result obtained in (ii) of this subparagraph; (iv) divide the result obtained in (ii) of this subparagraph by 4 percent.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* (1) If the total utilization in the various classes for any handler, as computed pursuant to (d) of this section, is less than the receipts of milk from producers (not including excess pursuant to § 946.6 (c)), the market administrator shall increase the total pounds of Class III milk for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization for all classes for such handler.

(2) If the total utilization in the various classes for any handler, as computed pursuant to (d) of this section, is greater than the receipts of milk from producers (not including excess pursuant to § 946.6 (c)), the market administrator shall decrease the total pounds of Class III milk for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization for all classes for such handler.

(f) *Classification of producer milk.* (1) Determine the classification of milk received from producers by (i) subtracting from the total pounds of milk computed for each class the total pounds received from other handlers and used in such class; (ii) subtracting from the remaining pounds in each class the total pounds, except emergency milk, which were received from sources other than producers and handlers and used in such class; (iii) subtracting from the remaining pounds of Class III milk the emergency milk received; *Provided*, That if the quantity of emergency milk is greater than the remaining Class III milk the balance shall be subtracted pro rata from Class I and Class II milk computed under (d) (3) (i) and (d) (4) (iii) of this section; and (iv) subtracting pro rata out of the remaining milk in each class the quantity of milk of the handler's own production.

§ 946.4 *Minimum prices*—(a) *Class prices.* Subject to the provisions of (b) (c), (d), and (e) of this section, each handler shall pay producers, at the time and in the manner set forth in § 946.8, not less than the following prices per hundredweight for the respective quantities of Class I milk, Class II milk, and Class

III milk, computed pursuant to § 946.3 (e) and (f):

(1) *Class I milk.* The price for Class I milk shall be the price for Class III milk, plus \$1.05.

(2) *Class II milk.* The price for Class II milk shall be the price for Class III milk, plus \$0.50.

(3) *Class III milk.* Except as set forth in (4) of this paragraph, the price for Class III milk shall be the price resulting from the following computation by the market administrator: Determine, on the basis of milk of 4 percent butterfat content, the arithmetic average of the basic, or field, prices per hundredweight reported by, and ascertained by the market administrator to have been paid by, the following concerns at the manufacturing plants or places listed below for ungraded milk received during the delivery period:

Concern:	Location
Kraft Cheese Co.	Lawrenceburg, Ky.
Armour Creameries	Elizabethtown, Ky.
Armour Creameries	Springfield, Ky.
Kraft Cheese Co.	Salem, Ind.
Ewing-Von Allmen Co.	Corydon, Ind.
Ewing-Von Allmen Co.	Madison Ind.
Producers' Dairy Marketing Assn.	Orleans, Ind.

Provided, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used: (i) Multiply by 4 the average wholesale price per pound of 92-score butter in the Chicago market as reported by the War Food Administration (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which such milk was received, (ii) add 20 percent thereof, and (iii) add 3½ cents per hundredweight for each full one-half cent that the price of nonfat dry milk solids by roller process for human consumption is above 5½ cents per pound. For the purpose of this formula the price per pound of nonfat dry milk solids to be used shall be the average of the carlot prices by roller process for human consumption, published as aforesaid, for the Chicago market during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such milk solids for the previous delivery period. In the event the carlot prices for nonfat dry milk solids by roller process for human consumption, f. o. b. manufacturing plant are not published, as aforesaid, the average of the carlot prices for such milk solids, delivered at Chicago, as published by any such agency, shall be used, and the following shall be used in lieu of the computation provided under (iii) herein: add 3½ cents per hundredweight for each full one-half cent that the price of each such nonfat dry milk solids for human consumption, delivered at Chicago, is above 6½ cents per pound.

(4) In the case of butter made from a quantity of producer milk received during the delivery period which is not in excess of 10 percent of the handler's Class I milk, the price shall be that resulting from the following computation by the

market administrator: Multiply by 4 the average wholesale price of 92-score butter in the Chicago market, as reported by the War Food Administration (or such other Federal agency as may hereafter be authorized to perform this price reporting function) for the delivery period, and add 20 percent thereof: *Provided*, That no milk shall be so priced for any delivery period during which the handler has received emergency milk.

(5) The prices used in determining the average manufacturing plant price pursuant to (3) of this paragraph shall be those quoted for milk received at the respective plants, without deductions for hauling or other charges to be paid by the farm shipper.

(b) *Price of Class I milk for relief distribution.* For Class I milk delivered by a handler to the residence of a relief client certified by a recognized relief agency, charged to such an agency, or disposed of by a handler under a program approved by the War Food Administrator for the sale or disposition of milk to low-income consumers, including persons on relief, such handler shall pay not less than the price for Class III milk, plus 12 cents.

(c) *Butterfat differential to handlers.* If any handler has received from producers milk containing more or less than 4 percent of butterfat, each handler shall add or deduct, per hundredweight of milk, for each one-tenth of 1 percent of butterfat above or below 4 percent, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter in the Chicago market, as reported by the War Food Administration (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which the milk was received, add 20 percent, and divide the result by 10.

(d) *Class volume reconciliation adjustment.* For the amount of milk involved in any reconciliation of class volumes of milk, pursuant to § 946.3 (e), the handler shall be debited or credited, as the case may be, at the higher Class III price: *Provided*, That if such handler received from producers milk with an average test of butterfat of 4 percent or less and disposed of no milk, skim milk, or cream as a Class III milk product, such debit or credit, as the case may be, shall be made at the Class II price.

(e) *Emergency price provision.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulation of any Federal agency plus the amount of any such sub-

sidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the price specified.

§ 946.5 *Reports of handlers*—(a) *Periodic reports*. Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 5th day after the end of each delivery period, the receipts during the delivery period of milk, skim milk, and cream from producers (including milk produced by him), from handlers, and from any other source; and the utilization of all receipts of milk, skim milk, and cream for the delivery period.

(2) On or before the day emergency milk is received, his intention to receive such milk.

(3) On or before the 5th day after the end of each delivery period, the receipts during the delivery period of emergency milk, the quantity of such milk, the date or dates upon which such milk was received, the plant from which such milk was shipped, the price per hundredweight paid, or to be paid, for such milk, the utilization of such milk, and such other information with respect thereto as the market administrator may request.

(b) *Reports as to producers*. Each handler shall report to the market administrator, as soon as possible after first receiving milk from any producer, the name and address of such producer, the date upon which such milk was first received, and the plant at which such milk was received.

(c) *Reports of payments to producers*. Each handler shall submit to the market administrator on or before the 20th day after the end of each delivery period his producer pay roll for such delivery period which shall show for each producer the net amount of such producer's payment with the prices, deductions, and charges involved, and the total delivery of milk with the average butterfat test thereof.

(d) *Verification of reports and payments*. (1) The market administrator shall verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or person upon whose disposition of milk, skim milk, or other milk products such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk, skim milk, and other milk products and shall, during the usual hours of business, make available to the market administrator or his representative such records, reports, and facilities as will enable the market administrator to (i) verify the receipts and disposition of all milk, skim milk, and cream required to be reported pursuant to this section, and, in case of errors, or omissions, ascertain the correct figures; (ii) weigh, sample,

and test for butterfat content the milk received from producers and any milk product upon which classification depends; and (iii) verify the payments to producers prescribed in § 946.8.

(2) If, in the verification of the reports of any handler made pursuant to (a) of this section, it is necessary for the market administrator to examine the records of milk and milk products handled in a plant of the handler from which no milk is disposed of in the marketing area, such handler shall make such records available to the market administrator. If, in the verification of the reports of any handler made pursuant to (a) of this section, the market administrator finds that, subsequent to the delivery period for which the verification is being made, any milk of producers received during such delivery period was used in a class other than that in which it was first disposed of, such milk shall be reclassified accordingly and the adjustments necessary to reflect the reclassified value of such milk shall be made in the billing computed for such handler for the delivery period following such reclassification.

§ 946.6 *Application of provisions*—

(a) *Handlers who are also producers*. No provision hereof shall apply to a handler whose only sources of milk supply are receipts from his own production or from other handlers, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request and shall permit the market administrator to verify such reports.

(b) *Receipts of bulk milk from a handler who is also a producer*. The market administrator, in computing the value of milk for any handler, shall consider as Class III milk any milk, skim milk, or cream received in bulk from a handler whose only source of milk is his own production. If the receiving handler disposes of such milk, skim milk, or cream other than as Class III milk, the market administrator shall add to the total value, computed pursuant to § 946.7 (a), the difference between the value of such milk, skim milk, or cream at the Class III price computed pursuant to § 946.4 (a) (3) and the value according to its actual usage.

(c) *Payment for excess milk or butterfat*. In the event that a handler, after subtracting his own production, receipts from other handlers, receipts from sources determined as other than producers or handlers, and receipts of emergency milk, has disposed of milk or butterfat, computed pursuant to § 946.3 (d), in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, such handler shall pay to producers, through the producer-settlement fund, the value of such milk or the milk equivalent of such butterfat in accordance with its utilization.

§ 946.7 *Determination of uniform prices to producers*—(a) *Computation of value for each handler*. For each delivery period the market administrator shall compute, subject to the provisions of § 946.6 (b) and (c), the value of milk

of producers disposed of by each handler, by multiplying the quantity in each class by the price applicable to such class and by adding together the resulting class values: *Provided*, That if such handler has received milk, skim milk, or cream, except emergency milk, from sources other than producers or handlers, as referred to in § 946.3 (f) (ii), there shall be added to the value determined for such handler pursuant to this paragraph an amount computed by multiplying the hundredweight of such milk, skim milk, or milk equivalent of cream by the difference between the higher Class III price and the price applicable to the class in which it was disposed: *Provided further*, That if such handler has disposed of producer milk as butter, but not to exceed as milk equivalent 10 percent of his Class I milk, he shall be credited at the difference between the Class III prices for the milk equivalent of such butter. If such handler utilizes milk, skim milk, or cream from sources other than producers or other handlers in Class III milk, the amount of butter allocated to milk from producers shall be a pro rata share based upon the respective volumes from each source utilized in Class III milk.

(b) *Computation and announcement of uniform prices*. The market administrator shall compute and announce the uniform price per hundredweight of producer milk for each delivery period, as follows:

(1) Combine into one total the respective values, computed pursuant to (a) of this section, for each handler who made the report prescribed by § 946.5 (a) for such delivery period and who has made the payments prescribed by § 946.8 (c);

(2) Subtract, if the average butterfat content of all milk received from producers is in excess of 4 percent, or add, if such average butterfat content is less than 4 percent, the total value of the butterfat differential applicable pursuant to § 946.8 (f);

(3) Subtract for each of the delivery periods of April, May, and June an amount representing 15 cents per hundredweight of milk received from producers by the handlers whose milk values are included under (1) of this paragraph;

(4) Add an amount representing the cash balance in the producer-settlement fund, less the amount due handlers pursuant to § 946.8 (e) and less the aggregate of the amounts held pursuant to (3) of this paragraph for payment pursuant to § 946.8 (d) (2);

(5) Divide the amount computed pursuant to (4) of this paragraph by the total hundredweight of milk of producers;

(6) Subtract from the figure computed pursuant to (5) of this paragraph not less than 4 cents nor more 5 cents per hundredweight for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers. This result shall be known as the uniform price for such delivery period for milk of producers containing 4 percent of butterfat; and

(7) On or before the 10th day after the end of such delivery period, notify each handler and publicly announce the uniform price per hundredweight computed pursuant to (6) of this paragraph, the class prices, and the butterfat differentials provided by § 946.4 (c) and § 946.8 (f).

§ 946.8 *Payment for milk*—(a) *Time and method of payment.* On or before the 15th day after the end of each delivery period, each handler shall pay to each producer, for milk received during the delivery period, an amount of money representing not less than the total value of such producer's milk at the uniform price per hundredweight, subject to the butterfat differential set forth in (f) of this section. Any handler may make payments to producers in addition to the minimum payments required by this paragraph: *Provided*, That such additional payments are made to all producers supplying such handler with milk of the same quality and grade.

(b) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the producer-settlement fund into which he shall deposit all payments made by handlers pursuant to (c) and (e) of this section, and out of which he shall make all payments pursuant to (d) and (e) of this section: *Provided*, That payments due any handler shall be offset by payments due from such handler.

(c) *Payments to the producer-settlement fund.* On or before the 15th day after the end of each delivery period, each handler shall pay to the market administrator the amount by which the total value of the milk received by him from producers during the delivery period is greater than the amount of the minimum payments required to be made by such handler pursuant to (a) of this section.

(d) *Payments out of the producer-settlement fund.* (1) On or before the 20th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount, if any, by which the total value of the milk received from producers by such handler is less than the amount of the minimum payments required to be made by such handler pursuant to (a) of this section. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 20th day after the end of each delivery period, has not received the balance of payment due him from the market administrator shall be deemed to be in violation of (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(2) On or before the 15th day after the end of each of the delivery periods of September, October, and November, beginning in 1945, the market administrator shall pay out of the producer-settlement fund to each producer an amount computed as follows: Divide

one-third of the aggregate amount held pursuant to § 946.7 (b) (3) by the hundredweight of producers' milk delivered during the delivery period involved (September, October, or November, as above) and apply the resulting amount per hundredweight to the milk of each producer for such delivery period: *Provided*, That payments under this subparagraph due any producer who has given authority to a cooperative association, which is qualified under the "Capper-Volstead" Act pursuant to § 946.9 (b), to receive payment for his milk shall be distributed to such cooperative association if the association requests receipt of such payments.

(e) *Adjustments of errors in payments.* Whenever verification by the market administrator of payments by any handler discloses errors made in payments to the producer-settlement fund pursuant to (c) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 15 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler, pursuant to (d) of this section the market administrator shall, within 15 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer for milk received by such handler discloses payment of less than is required by this section, the handler shall make up such payment not later than the time of making payment to producers next following such disclosures.

(f) *Butterfat differential.* In making payments to each producer, pursuant to (a) of this section, each handler shall add to the uniform price not less than, or subtract from the uniform price not more than, as the case may be, for each one-tenth of 1 percent of butterfat content above or below 4 percent in milk received from such producer, the amount as shown in the schedule below for the butter price range in which falls the average wholesale price per pound of 92-score butter in the Chicago market, as reported by the War Food Administration (or by such other Federal agency as may hereafter be authorized to perform this price reporting function), for the delivery period during which such milk was received.

Butter price range (cents)	Butterfat differential (cents)
22.499 or less	2½
22.50-27.499	3
27.50-32.499	3½
32.50-37.499	4
37.50-42.499	4½
42.50-47.499	5
47.50-52.499	5½
52.50-57.499	6
57.50-62.499	6½
62.50 and over	7

§ 946.9 *Marketing services*—(a) *Deductions for marketing services.* Except as set forth in (b) of this section, each handler shall deduct 4 cents per hundredweight from the payments made directly to producers pursuant to § 946.8, with respect to all milk received by such handlers from producers during each delivery period, and shall pay such deduc-

tions to the market administrator on or before the 15th day after the end of such delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from producers during the delivery period and to provide such producers with market information. Such services shall be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative association.* In the case of producers for whom a cooperative association, which the War Food Administrator determines to be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing, as determined by the War Food Administrator, the services set forth in (a) of this section, each handler shall make, in lieu of the deductions specified in (a) of this section, such deductions from the payments to be made directly to such producers pursuant to § 946.8, as are authorized by such producers, and, on or before the 15th day after the end of each delivery period, pay over such deductions to the association rendering such services.

§ 946.10 *Expense of administration.* As his pro rata share of the expense of the administration hereof, each handler, on or before the 15th day after the end of each delivery period, shall pay to the market administrator, with respect to all milk received by him from producers or produced by him, during such delivery period, an amount not exceeding 2 cents per hundredweight, the exact amount to be determined by the market administrator, subject to review by the War Food Administrator. Each cooperative association which is a handler shall pay such pro rata share of expense on only that milk of producers caused to be delivered by it to plants from which no milk is disposed of in the marketing area.

§ 946.11 *Effective time, suspension, and termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended or terminated, pursuant to (b) of this section.

(b) *Suspension and termination.* Any or all provisions hereof, or any amendment hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the War Food Administrator may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty.* (1) If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the War Food Ad-

ministrator so directs, be performed by such other person, persons, or agency as the War Food Administrator may designate.

(2) The market administrator, or such other person as the War Food Administrator may designate, shall (i) continue in such capacity until discharged, (ii) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator or such person, to such person as the War Food Administrator shall direct, and (iii) if so directed by the War Food Administrator, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the War Food Administrator may designate, shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 946.12 *Agents.* The War Food Administrator may by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

§ 946.13 *Counterparts and additional parties—(a) Counterparts of marketing agreement.* This marketing agreement may be executed in multiple counterparts, and when one counterpart is signed by the War Food Administrator all such counterparts shall constitute, when taken together, one and the same instrument, as if all such signatures were obtained in one original.

(b) *Additional parties to the marketing agreement.* After this marketing agreement first takes effect, any handler may become a party to this marketing agreement if a counterpart hereof is executed by him and delivered to the War Food Administrator. This marketing agreement shall take effect as to such new contracting parties at the time such counterpart is delivered to the War Food Administrator and the benefits, privileges, and immunities conferred by this marketing agreement shall then be effective as to such new contracting party.

§ 946.14 *Record of milk handled and authorization to correct typographical errors—(a) Record of milk handled during the month of August 1944.* The undersigned certifies that he handled

hundredweight of milk covered by this marketing agreement and disposed of within the marketing area.

(b) *Authorization to correct typographical errors.* The undersigned hereby authorizes the Chief, or Acting Chief, Dairy and Poultry Branch, Office of Distribution, to correct any typographical errors which may have been made in this marketing agreement.

In witness whereof, the contracting handlers, acting under the provisions of the act, for the purposes and subject to the limitations herein contained and not otherwise, have hereunto set their respective hands and seals.

This report filed at Washington the 25th day of October 1944.

C. W. KITCHER,
Acting Director of Distribution.

[F. R. Doc. 44-16444; Filed, Oct. 25, 1944;
3:17 p. m.]

Commodity Credit Corporation.

DAIRY PRODUCTS

AMENDMENT TO OFFER TO MAKE PRODUCTION PAYMENTS

The offer (9 F.R. 5099) of the Commodity Credit Corporation to make dairy production payments to eligible producers for the period beginning May 1, 1944, and ending March 31, 1945, is hereby amended by deleting therefrom Schedule A and inserting, in lieu thereof, a new Schedule A attached hereto and by this reference made a part hereof.

Issued this 25th day of October 1944.

[SEAL] COMMODITY CREDIT CORPORATION,
LEE MARSHALL,
Vice President.

Attest:
ZELMA DAVIS,
Assistant Secretary.

SCHEDULE A—DAIRY PRODUCTION PAYMENT SCHEDULE

State	Counties	Rate per cwt. of milk delivered			
		July 1 through Aug. 4, 1944	Aug. 5 through Aug. 31, 1944	Weighted average rate for July and August*	September 1944 through March 1945
Alabama.....	Baldwin, Mobile ¹ , Colbert, Franklin, Marion, Linderdale, Limestone, Madison, Marshall, Morgan, Blount, St. Clair, Calhoun, Cherokee, DeKalb, Etowah, and Jackson. ²	Cents 45	Cents 45	Cents 45	Cents 60
Arizona.....	All other counties ¹	45	45	45	70
Arkansas.....	All counties ¹	45	45	45	70
California.....	Benton, Madison, Washington, Van Buren, Crawford, Franklin, Johnson, Logan, Polk, Pope, Scott, Sebastian, Yell, Conway, Faulkner, Perry, and Montgomery. ¹	45	45	45	80
Colorado.....	All other counties ¹	45	45	45	80
Connecticut.....	All counties ¹	45	45	45	70
Delaware.....	All counties ¹	45	45	45	70
District of Columbia.....	(0)	45	45	45	70
Florida.....	All counties ¹	65	65	65	60
Georgia.....	All counties ¹	65	65	65	60
Idaho.....	Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone. ¹	45	45	45	70
Illinois.....	All other counties ¹	35	35	35	60
Indiana.....	Johnson, Williamson, Edwards, Gallatin, Hamilton, Hardin, Monroe, Pope, Saline, Wabash, Wayne, White, Clay, Crawford, Lawrence, Marion, Richland, Alexander, Jackson, Perry, Pulaski, Union, Franklin, and Jefferson. ¹	35	35	35	70
Iowa.....	Adams, Brown, Schuyler, Bond, Calhoun, Cass, Christian, Greene, Jersey, Macoupin, Madison, Montgomery, Morgan, Pike, Sangamon, Scott, DeWitt, Logan, McLean, Mason, Macon, Menard, Tazewell, Champaign, Ford, Iroquois, Platt, Vermillion, Clark, Coles, Cumberland, Douglas, Edgar, Ellingsham, Fayette, Jasper, Menard, Shelby, Clinton, Monroe, Randolph, St. Clair, and Washington. ¹	35	35	35	60
Kansas.....	All other counties ¹	35	35	35	60
Kentucky.....	Davies, Dubois, Gibson, Knox, Martin, Pike, Posey, Spencer, Vanderburgh, Warrick, Crawford, Floyd, Harrison, Orange, Perry, Washington, Clark, Jefferson, Scott, Ohio, Switzerland, Owen, Greene, Sullivan, Jackson, Lawrence, Monroe, Dearborn, Jennings, and Ripley. ¹	35	35	35	70
Louisiana.....	All other counties ¹	35	35	35	60
Maine.....	Galloway, Carlisle, Fulton, Graves, Hickman, Marshall. ¹	35	35	35	70
Maryland.....	All other counties ¹	35	35	35	60
Massachusetts.....	All counties ¹	45	45	45	80
Michigan.....	All counties ¹	45	45	45	80
Minnesota.....	Berrien, Cass, Kalamazoo, Van Buren, Branch, Calhoun, Hilledale, St. Joseph. ¹	35	35	35	60
Mississippi.....	All other counties ¹	35	35	35	60

See footnotes at end of table.

FEDERAL REGISTER, Friday, October 27, 1944

SCHEDULE A—DAIRY PRODUCTION PAYMENT SCHEDULE—Continued

State	Counties	Rate per cwt. of milk delivered			
		July 1 through Aug. 4 1944	Aug. 5 through Aug. 31, 1944	Weighted average rate for July and August*	September 1944 through March 1945
Mississippi.....	Bolivar, Coahoma, Quitman, Tallahatchie, Tunica, Benton, De Soto, Lafayette, Marshall, Panola, Tate, Alcorn, Tippah, Tishomingo, Humphreys, Issaquena, Leflore, Sharkey, Sunflower, Washington, Yazoo, Holmes, Madison, Rankin, Adams, Claiborne, Copiah, Franklin, Hinds, Jefferson, Warren, and Simpson. ¹	Cents 45	Cents 45	Cents 45	Cents 80
Missouri.....	All other counties. ²	45	45	45	70
	Audrain, Knox, Lewis, Marion, Monroe, Pike, Ralls, Shelby, Callawa, Maries, Osage, Phelps, Crawford, Franklin, Gasconade, Jefferson, Lincoln, Montgomery, Perry, St. Charles, St. Francois, St. Genevieve, St. Louis, Warren, Washington, Barry, Christian, Stone, Bollinger, Carter, Dent, Douglas, Howell, Iron, Madison, Oregon, Ozark, Reynolds, Ripley, Shannon, Taney, Texas, Wayne, Wright, Butler, Cape Girardeau, Dunklin, Mississippi, New Madrid, Pemiscot, Scott, and Stoddard. ³	35	35	35	70
Montana.....	All other counties. ²	35	35	35	60
Nebraska.....	All counties. ¹	35	35	35	60
Nevada.....	All counties. ¹	35	35	35	60
New Hampshire.....	All counties. ¹	45	45	45	70
New Jersey.....	All counties. ¹	45	45	45	80
New Mexico.....	All counties. ¹	55	55	55	80
New York.....	All counties. ¹	45	45	45	70
North Carolina.....	All counties. ¹	45	45	45	80
North Dakota.....	All counties. ¹	65	65	65	90
Ohio.....	All counties. ¹	35	35	35	60
	Butler, Clermont, Clinton, Hamilton, Warren, Adams, Brown, Gallia, Highland, Jackson, Lawrence, Pike, Scioto, Meigs, Fayette, Ross, Athens, and Vinton. ¹	35	70	60	70
Oklahoma.....	All other counties. ²	35	35	35	70
	All counties. ¹	45	45	45	70
Oregon.....	All counties. ¹	45	45	45	70
Pennsylvania.....	All counties. ¹	45	45	45	80
Rhode Island.....	All counties. ¹	55	55	55	90
South Carolina.....	All counties. ¹	65	65	65	90
South Dakota.....	All counties. ¹	35	35	35	60
Tennessee.....	Fayette, Shelby. ¹	45	45	45	80
	Dyer, Lake, Lauderdale, Obion, Tipton, Carroll, Chester, Crockett, Gibson, Hardeman, Haywood, Henderson, Henry, McNairy, Madison, Weakley, Benton, Decatur, and Hardin. ²	35	35	35	70
Texas.....	All other counties. ¹	35	70	50	70
	Angelina, Bowie, Cass, Gregg, Harrison, Jasper, Marion, Nacogdoches, Newton, Panola, Rusk, Sabine, San Augustine, and Shelby. ³	45	45	45	80
Utah.....	All other counties. ²	45	45	45	70
	All counties. ¹	45	45	45	70
Vermont.....	All counties. ¹	45	45	45	80
Virginia.....	Buchanan, Dickenson, Lee, Russell, Scott, Washington, and Wise. ¹	45	80	60	80
	All other counties. ²	45	45	45	80
Washington.....	All counties. ¹	45	45	45	70
West Virginia.....	Cabell, Jackson, Kanawha, Lincoln, Mason, Putnam, Roane, Wayne, Calhoun, Clay, Mingo, and Wirt. ¹	45	80	60	80
	All other counties. ²	45	45	45	80
Wisconsin.....	All counties. ¹	35	35	35	60
Wyoming.....	All counties. ¹	35	35	35	60

*Payments for the 2-month period of July and August 1944 will be at a rate equal to the weighted average of the rates applying to this period.

¹ The rate of payment on butterfat deliveries in these States and counties during the calendar months of July and August 1944 will be 8 cents per pound, and for the period September 1944 through March 1945 the rate on butterfat deliveries will be 11 cents per pound.

² The rate of payment on butterfat deliveries in these States and counties during the calendar months of July and August 1944 will be 6 cents per pound, and for the period September 1944 through March 1945, it will be 11 cents per pound.

³ The rate of payment on butterfat deliveries in these States and counties during the period of July and August 1944 will be 6 cents per pound, and during the period September 1944 through March 1945 the rate of payment will be 10 cents per pound.